#### Message

From: Jackson, Ryan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=38BC8E18791A47D88A279DB2FEC8BD60-JACKSON, RY]

**Sent**: 11/16/2018 10:46:22 PM

To: Konkus, John [konkus.john@epa.gov]; Block, Molly [block.molly@epa.gov]; Grantham, Nancy

[Grantham.Nancy@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov];

White, Elizabeth [white.elizabeth@epa.gov]; Brazauskas, Joseph [brazauskas.joseph@epa.gov]

Subject: FW: Awareness Notification Process for Select Freedom of Information Act Releases

Attachments: FOIA Efficiency Memo.pdf

From: Jackson, Ryan

Sent: Friday, November 16, 2018 5:46 PM

To: Leadership\_Assistant\_Administators <Leadership\_Assistant\_Administators@epa.gov>;
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Leadership\_Deputy\_Assistant\_Administrators <Leadership\_Deputy\_Assistant\_Administrators@epa.gov>;
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Leadership\_Regional\_Administrators <Leadership\_Regional\_Administrators@epa.gov>; Regional FOIA\_Officers@epa.gov>; Regional Counsel Contacts <Regional\_Counsel\_Contacts@epa.gov>; Deputy Regional Counsels <Deputy\_Regional\_Counsels@epa.gov>; FOIA Coordinators <FOIA\_Coordinators@epa.gov>; FOIA Officers@epa.gov>;

Subject: Awareness Notification Process for Select Freedom of Information Act Releases

#### Colleagues -

Following Acting Administrator Wheeler's memorandum earlier this week regarding Freedom of Information Act processing, please see the attached additional memorandum. Senior leadership review is necessary to ensure consistency, accuracy, and efficient production of information under FOIA.

Ryan Jackson Chief of Staff U.S. Environmental Protection Agency (202) 564-6999

Thompson, Heather [Thompson.Heather@epa.gov] From:

Sent: 8/15/2019 5:02:03 PM

To: Thompson, Heather [Thompson.Heather@epa.gov]; FOIA Officers [FOIAOfficers@epa.gov]; FOIA Coordinators

[FOIA\_Coordinators@epa.gov]; Schena, Cristeen [Schena.Cristeen@epa.gov]; Smart, Mark [smart.mark@epa.gov];

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Subject: Listening Session - Updates to EPA FOIA Policy and EPA FOIA Procedures

Attachments: Proposal on FOIA Consultations rt2 9.5.19.docx

**Location**: WJC North 6013 Skype Meeting

**Start**: 9/10/2019 5:00:00 PM **End**: 9/10/2019 7:00:00 PM

**Show Time As:** Tentative

This is the third and final general listening session scheduled to seek your input on updates to the FOIA Policy and Procedures documents. The draft FOIA Policy and Procedures documents were distributed by Timothy Epp on Monday, August 12, 2019.

Region 3 has drafted the attached proposal describing the consultation process and outlining NFO and Responding Office roles for consultations. We will discuss this proposal during this listening session.

Headquarters and Regional leadership are invited to delegate attendance to the most appropriate individual/manager. EPA FOIA Officers and Coordinators are included in the invite.

In addition, the NFO invites you to provide written comments on these updates. Please submit any written comments to Heather Thompson at <a href="mailto:thompson.heather@epa.gov">thompson.heather@epa.gov</a> and Krishna Bhatt at <a href="mailto:bhatt.krishna@epa.gov">bhatt.krishna@epa.gov</a> by <a href="mailto:COB Friday">COB Friday</a>, <a href="mailto:September 20">September 20</a>, <a href="mailto:2019">2019</a>. Each FOIA Program should coordinate within their office and provide a consolidated response wherever possible.

You can access the draft FOIA Policy, draft FOIA Procedures, Listening Session Notes, and the written comments submitted from the following link:

**Draft FOIA Policy and Procedures** 

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#### **Proposal on FOIA Consultations**

#### I. "Consultation" Defined

#### Per DOJ OIP Guidance:

There are several situations where it is appropriate for agencies to consult with another agency or entity which holds an interest in the documents that are the subject of a FOIA request. This most commonly arises when an agency locates records in response to a request that originated with the agency, but which contain within them information of interest to another agency or another component. In those situations, the agency processing the request should consult with that other agency, or equity holder, to obtain its views prior to disclosure of the records.

Consultations . . . are also appropriate when an agency locates records in its files that originated with an entity that is not itself subject to the FOIA. The agency may consult with that outside entity as part of its process of making a disclosure determination. Such consultations are required by Executive Order 12,600 whenever an agency is processing a request for records that arguably contain material exempt from release under Exemption 4 of the FOIA. See 3 C.F.R. 235 (1988).

OIP Guidance, Referrals, Consultations, and Coordination: Procedures for Processing Records When Another Agency or Entity Has an Interest in Them, available at [ HYPERLINK "https://www.justice.gov/oip/blog/foia-guidance-13"] (last accessed 8/22/2019).

For purposes of this proposal, therefore, a FOIA "consultation" (as opposed to either an internal "equity review" or a "referral") is when EPA contacts an Agency or Entity "either formally or informally [in order] to make a more informed disclosure decision regarding..." FOIA Update: OIP Guidance: Referral and Consultation Procedures, FOIA Update Vol. XII, No. 3, 1991 OIP Guidance, January 1, 1991, available at https://www.justice.gov/oip/blog/foia-update-oip-guidance-referral-and-consultation-procedures (last accessed August 22, 2019).

- a. Records in EPA's possession or control, which:
  - 1. Were created by an Agency other than EPA, or
  - 2. Were not created by another Agency, but EPA discerns that another Agency may have an interest in those records, or
- b. Records in EPA's possession or control which originated with an Entity not subject to FOIA (e.g., White House documents).

#### II. Role of NFO

# Ex. 5 Deliberative Process (DP)

III. Role of the Responding Office

From: Thompson, Heather [Thompson.Heather@epa.gov]

**Sent**: 8/15/2019 5:02:03 PM

To: Thompson, Heather [Thompson.Heather@epa.gov]; FOIA Officers [FOIAOfficers@epa.gov]; FOIA Coordinators

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**CC**: Leadership\_Deputy\_Assistant\_Administrators [Leadership\_Deputy\_Assistant\_Administrators@epa.gov];

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1:19-CV-05190

This is the third general listening session scheduled to seek your input on updates to the FOIA Policy and Procedures documents. The draft FOIA Policy and Procedures documents were distributed by Timothy Epp on Monday, August 12, 2019. Additional general listening sessions are scheduled for:

Tuesday, August 20, 2019 from 1-3pm Wednesday, August 28, 2019 from 10am – noon

The National FOIA Office (NFO) encourages you to participate in at least one of these general listening sessions.

The NFO has also scheduled a focused listening session on Wednesday, August 21, 2019 from 10am – noon to seek input on Lead FOIA Office and Contributing Office search and first-level review responsibilities.

Headquarters and Regional leadership are invited to delegate attendance to the most appropriate individual/manager. EPA FOIA Officers and Coordinators are included in the invite.

In addition, the NFO invites you to provide written comments on these updates. Please submit any written comments to Heather Thompson at <a href="mailto:thompson.heather@epa.gov">thompson.heather@epa.gov</a> and Krishna Bhatt at <a href="mailto:bhatt.krishna@epa.gov">bhatt.krishna@epa.gov</a> by <a href="mailto:COB Friday">COB Friday</a>, <a href="mailto:September 20">September 20</a>, <a href="mailto:2019">2019</a>. Each FOIA Program should coordinate within their office and provide a consolidated response wherever possible.

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Conway, Timothy [Conway.Tim@epa.gov]; Howell, Joyce [Howell.Joyce@epa.gov]; Jonesi, Gary

[Jonesi.Gary@epa.gov]

Subject: Listening Session - Updates to EPA FOIA Policy and EPA FOIA Procedures

Location: WJC North 6013 Skype Meeting

Start: 9/10/2019 5:00:00 PM End: 9/10/2019 7:00:00 PM

Show Time As: Tentative

1:19-CV-05190

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Please use the conference line below to connect to audio if you are participating remotely.

Conference Lin Conference ID:	6
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#### Join Skype Meeting

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From: Thompson, Heather [Thompson.Heather@epa.gov]

**Sent**: 8/15/2019 4:58:14 PM

To: Thompson, Heather [Thompson.Heather@epa.gov]; Schena, Cristeen [Schena.Cristeen@epa.gov]; Smart, Mark

[smart.mark@epa.gov]; Knapp, Michael [Knapp.Michael@epa.gov]; Williamson, Timothy

[Williamson.Tim@epa.gov]; Calderon, Wanda [Calderon.Wanda@epa.gov]; Simon, Paul [Simon.Paul@epa.gov];

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Powell-Dickson, Antoinette [Powell-Dickson.Antoinette@epa.gov]; Ingram, Earl [Ingram.Earl@epa.gov]; Sheehan, Charles [Sheehan.Charles@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Forsgren, Lee [Forsgren.Lee@epa.gov];

Castanon, Lisa [Castanon.Lisa@epa.gov]

CC: Leadership\_Deputy\_Assistant\_Administrators [Leadership\_Deputy\_Assistant\_Administrators@epa.gov];

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Kamila [lis-coghlan.kamila@epa.gov]; Kadeli, Lek [Kadeli.Lek@epa.gov]; Kennedy, Chandra

[Kennedy.Chandra@epa.gov]; Tonic, Ingrid [tonic.ingrid@epa.gov]; Dunlap, David [dunlap.david@epa.gov]; Clausen, Rebecca [Clausen.Rebecca@epa.gov]; Barnett-Owens, Inga [Barnett-Owens.Inga@epa.gov]; Blackburn, Elizabeth

[Blackburn.Elizabeth@epa.gov]; Beck, Nancy [Beck.Nancy@epa.gov]; Kudarauskas, Paul

[Kudarauskas.Paul@epa.gov]; Bigioni, Neil [bigioni.neil@epa.gov]; Rodrigues, Cecil [rodrigues.cecil@epa.gov]; Wooden-Aguilar, Helena [Wooden-Aguilar.Helena@epa.gov]; Brown, Sineta [Brown.Sineta@epa.gov]; Almazan,

Christina [almazan.christina@epa.gov]; Hauser, Mitchell [hauser.mitchell@epa.gov]; Swanson, Amy

[Swanson.Amy@epa.gov]; Zipf, Lynn [Zipf.Lynn@epa.gov]; Collazo, Beatriz [collazo.beatriz@epa.gov]; Weyer, Erica [weyer.erica@epa.gov]; Coogan, Daniel [Coogan.Daniel@epa.gov]; Gupta, Kaushal [Gupta.Kaushal@epa.gov]; McLendon, Wanda [McLendon.Wanda@epa.gov]; Newman, Maya [Newman.Maya@epa.gov]; Smith, Susan

[Smith.Susan@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Gottesman, Larry [Gottesman.Larry@epa.gov]; Stanich, Ted [Stanich.Ted@epa.gov]; Latham, John [Latham.John@epa.gov]; Calvo, Kathy [Calvo.Kathy@epa.gov];

Richmond, Jonah [Richmond.Jonah@epa.gov]; Armstrong, Marilyn [Armstrong.Marilyn@epa.gov]; Bell-Anderson, Marie [Bell-Anderson.Marie@epa.gov]; Commodore, Carolin [Commodore.Carolin@epa.gov]; Fredericks, Sharon

[Fredericks.Sharon@epa.gov]; Indermark, Michele [Indermark.Michele@epa.gov]; Jones, Knolyn

[Jones.Knolyn@epa.gov]; Reynolds, David [Reynolds.David@epa.gov]; Silver, Edna [silver.edna@epa.gov]; Ward,

Valerie [Ward.Valerie@epa.gov]; Minor-Gordon, Jerry [Minor-Gordon.Jerry@epa.gov]; Newton, Jonathan

[Newton.Jonathan@epa.gov]; Langley, Shirley [Langley.Shirley@epa.gov]; Murdock, James

[Murdock.James@epa.gov]; Wildeman, Anna [wildeman.anna@epa.gov]; Levine, Scott [Levine.Scott@epa.gov]; Hamilton, Sabrina [Hamilton.Sabrina@epa.gov]; Hill, Kevin W. [hill.kevinw@epa.gov]; Bhatt, Krishna

[bhatt.krishna@epa.gov]; Thomas, Deb [thomas.debrah@epa.gov]; Hines, Andrea [hines.andrea@epa.gov]; Creech,

Christopher [Creech.Christopher@epa.gov]; Bossard, Justin [bossard.justin@epa.gov]; Newton, Cheryl

[Newton.Cheryl@epa.gov]; Rementer, Nicole [rementer.nicole@epa.gov]; Cunningham, Dennis [Cunningham.Dennis@epa.gov]; Moumbleaux, Joan [moumbleaux.joan@epa.gov]; Donaldson, Yerusha

[donaldson.yerusha@epa.gov]; Ford, Mark [Ford.Mark@epa.gov]; Spears, Rasheena [spears.rasheena@epa.gov];

Idsal, Anne [idsal.anne@epa.gov]; Gardner, Allison [Gardner.Allison@epa.gov]; Carpenter, Wesley

[Carpenter.Wesley@epa.gov]; Schwab, Justin [Schwab.Justin@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Pirzadeh, Michelle [Pirzadeh.Michelle@epa.gov]; Vizian, Donna [Vizian.Donna@epa.gov]; Noga, Vaughn

[Noga.Vaughn@EPA.GOV]; Jordan, Deborah [Jordan.Deborah@epa.gov]; Nishida, Jane [Nishida.Jane@epa.gov]; Conway, Timothy [Conway.Tim@epa.gov]; Best-Wong, Benita [Best-Wong.Benita@epa.gov]; Bertrand, Charlotte

[Bertrand.Charlotte@epa.gov]; Starfield, Lawrence [Starfield.Lawrence@epa.gov]

Subject: Listening Session - Updates to EPA FOIA Policy and EPA FOIA Procedures

Location: WJC North 4530 and Skype Meeting

**Start**: 8/28/2019 2:00:00 PM **End**: 8/28/2019 4:00:00 PM

**Show Time As:** Tentative

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From: Thompson, Heather [Thompson.Heather@epa.gov]

**Sent**: 8/15/2019 5:02:03 PM

To: Thompson, Heather [Thompson.Heather@epa.gov]; FOIA Officers [FOIAOfficers@epa.gov]; FOIA Coordinators

[FOIA\_Coordinators@epa.gov]; Schena, Cristeen [Schena.Cristeen@epa.gov]; Smart, Mark [smart.mark@epa.gov]; Knapp, Michael [Knapp.Michael@epa.gov]; Williamson, Timothy [Williamson.Tim@epa.gov]; Calderon, Wanda [Calderon.Wanda@epa.gov]; Simon, Paul [Simon.Paul@epa.gov]; Ferrara, Helen [Ferrara.Helen@epa.gov]; D'Andrea, Michael [DANDREA.MICHAEL@EPA.GOV]; Tate, Rita [Tate.Rita@epa.gov]; Gross, Louann [Gross.LouAnn@epa.gov]; Daniels-Lewis, Alicia [Daniels-Lewis.Alicia@epa.gov]; Puchalski, Connie

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**CC**: Leadership\_Deputy\_Assistant\_Administrators [Leadership\_Deputy\_Assistant\_Administrators@epa.gov];

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Coghlan, Kamila [lis-coghlan.kamila@epa.gov]; Woodard-Burrell, Gwendolyn [Woodard-Burrell.Gwendolyn@epa.gov]; Armstrong, Kathy [Armstrong.Kathy@epa.gov]; Cruver, Melvin

[Cruver.Melvin@epa.gov]; Cody, Karen [Cody.Karen@epa.gov]; Robinson, Donna [Robinson.Donna@epa.gov]; Pearce, Jennifer [Pearce.Jennifer@epa.gov]; Pressley, Miriam [Pressley.Miriam@epa.gov]; Johnson, Priscilla [Johnson.Priscilla@epa.gov]; Barnett-Owens, Inga [Barnett-Owens.Inga@epa.gov]; Blackburn, Elizabeth [Blackburn.Elizabeth@epa.gov]; Beck, Nancy [Beck.Nancy@epa.gov]; Dunlap, David [dunlap.david@epa.gov]; Kennedy, Chandra [Kennedy.Chandra@epa.gov]; Tonic, Ingrid [tonic.ingrid@epa.gov]; Palomaki, Ashley

[Palomaki.Ashley@epa.gov]; Wooden-Aguilar, Helena [Wooden-Aguilar.Helena@epa.gov]; Almazan, Christina [almazan.christina@epa.gov]; Hauser, Mitchell [hauser.mitchell@epa.gov]; Mastro, Donna

[Mastro.Donna@epa.gov]; Collazo, Beatriz [collazo.beatriz@epa.gov]; Coogan, Daniel [Coogan.Daniel@epa.gov]; Gupta, Kaushal [Gupta.Kaushal@epa.gov]; McLendon, Wanda [McLendon.Wanda@epa.gov]; Gottesman, Larry [Gottesman.Larry@epa.gov]; Calvo, Kathy [Calvo.Kathy@epa.gov]; Latham, John [Latham.John@epa.gov]; Richmond, Jonah [Richmond.Jonah@epa.gov]; Murdock, James [Murdock.James@epa.gov]; Langley, Shirley [Langley.Shirley@epa.gov]; Zipf, Lynn [Zipf.Lynn@epa.gov]; Vizian, Donna [Vizian.Donna@epa.gov]; Kudarauskas,

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[Nishida.Jane@epa.gov]; Jordan, Deborah [Jordan.Deborah@epa.gov]

Subject: Listening Session - Updates to EPA FOIA Policy and EPA FOIA Procedures

**Location**: WJC North 6013 Skype Meeting

**Start**: 9/10/2019 5:00:00 PM **End**: 9/10/2019 7:00:00 PM

Show Time As: Tentative

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Subject: Listening Session - Updates to EPA FOIA Policy and EPA FOIA Procedures

Location: WJC North 4530 and Skype Meeting

**Start**: 8/28/2019 2:00:00 PM **End**: 8/28/2019 4:00:00 PM

Show Time As: Tentative

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**Sent**: 8/15/2019 4:53:15 PM

To: Thompson, Heather [Thompson.Heather@epa.gov]; Schena, Cristeen [Schena.Cristeen@epa.gov]; Smart, Mark

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**CC**: Leadership\_Deputy\_Assistant\_Administrators [Leadership\_Deputy\_Assistant\_Administrators@epa.gov];

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Lynn [Kelly.Lynn@epa.gov]; Miller, Kevin [Miller.Kevin@epa.gov]; OGC NFO [OGC-NFO@epa.gov]

Subject: Listening Session - Updates to EPA FOIA Policy and EPA FOIA Procedures

**Location**: WJC North 6013 and Skype Meeting

**Start**: 8/20/2019 5:00:00 PM **End**: 8/20/2019 7:00:00 PM

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#### Appointment

Gottesman, Larry [Gottesman.Larry@epa.gov] From:

Sent: 12/7/2018 5:04:24 PM

To: FOIA Coordinators [FOIA\_Coordinators@epa.gov]; FOIA Coordinators Alt [FOIA\_Coordinators\_Alt@epa.gov]; FOIA

Officers Alt [FOIAOfficers-Alt@epa.gov]; Info Attys [Info\_Attys@epa.gov]; Tran, Victoria [tran.victoria@epa.gov];

OGC NFO [OGC-NFO@epa.gov]; Ingram, Earl [Ingram.Earl@epa.gov]; Lubetsky, Jonathan

[Lubetsky.Jonathan@epa.gov]; Espinoza, Ana [Espinoza.Ana@epa.gov]; Zipf, Lynn [Zipf.Lynn@epa.gov]

FOIA Coordinators/Officers meeting Subject:

Attachments: FOIA Efficiency Memo.pdf; Awareness Notification e-mail template 11272018 Final (003).docx

Location: DCRoomARN6500PolyPCTB/DC-ARN-OAR

12/18/2018 6:00:00 PM Start: 12/18/2018 8:00:00 PM End:

Show Time As: Tentative

We are having a joint FOIA Coordinators and Offices meeting for the month of December.

The focus of this meeting will be to discuss and answer any questions you have concerning the attached documents.

The call in number will be **Ex. 6** 

Conference code Ex. 6

Please feel free to share this invite with your FOIA professionals.

Please let me know if you have any questions.

Thank you.

Larry Gottesman

#### **Awareness Notification Email Template**

To Line: Elizabeth White, Director, OEX

Brian Hope, Deputy Director, OEX

Victoria Tran, Advisor, OEX

Timothy Epp, Director, National FOIA Office

Nancy Grantham, Principle Deputy Associate Administrator, OPA

Troy Lyons, Associate Administrator, OCIR

Robin H. Richardson, Principle Deputy Associate Administrator, OCIR

John Konkus, Deputy Associate Administrator, OPA Denise Walker, Assistant Director, National FOIA Office Larry Gottesman, Assistant Director, National FOIA Office

[insert Action Office's Deputy Assistant Administrator or Deputy Regional Administrator]

[insert - individual assigned to the request in FOIAonline]

**Subject:** Awareness Notification [Include EPA FOIA ID here] [Identify general topic of FOIA]

To whom it may concern,

[Identify the Action Office here] is responding to the above-referenced FOIA request(s). We are providing this awareness notification email pursuant to the Chief of Staff's November 16, 2018 memorandum "Awareness Notification Process for Select Freedom of Information Act Releases." Recipients of this email have up to three business days following transmission of this email to review the documents to be released.

There is no requirement for you to respond to this email or otherwise take action. The Action Office has completed review and obtained management approval consistent with the agency's FOIA policy and procedures.

After 4 p.m. on the third business day after transmission of this email, the Action Office will issue the Agency's FOIA determination to the requester(s). The determination will be issued promptly, but in no event later than one business day following completion of the three-day awareness notification period.

The information provided below is consistent with Paragraph 4 of the above-referenced November 16, 2018 memorandum.

[Action	[Action Office]								
FOIA ID	Requester	Requester Organization	Date FOIA Request Perfected	Date sent for Awareness Notification	Brief description of request as clarified	Interim or Final Response	Number of Records and/or pages		
EPA- HQ- 2019- 00xxx	Jane Q. Public	News Group	11/10/2018	11/17/2018	Documents seeking records about X.	Interim response	10 records		

The following offices have equities in these records and have reviewed the relevant records:								
Office 2	Office 1 Office 2 Office 3							
The ma	anager who	approved this r	elease is:					
The records are:								
attached								
may be found at the following link: [Insert link]								



#### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

November 16, 2018

OFFICE OF THE ADMINISTRATOR

#### **MEMORANDUM**

SUBJECT: Awareness Notification Process for Select Freedom of Information Act Releases

FROM: Ryan Jackson

Chief of Staff

TO: General Counsel

Assistant Administrators

Inspector General Chief Financial Officer Associate Administrators Regional Administrators Regional Counsels

Deputy Regional Counsels

FOIA Coordinators

Earlier this week, in a November 13, 2018, memorandum to all staff, Acting Administrator Wheeler reaffirmed the agency's commitment to transparency, noting that the Freedom of Information Act is both a statutory obligation and an important tool for promoting transparency and building public trust in agency actions.

For years, spanning several Administrations, senior leaders at the U.S. Environmental Protection Agency have been notified of the imminent release of information through FOIA. This "awareness notification process" is intended to inform senior officials of the release of information through FOIA that may be of particular interest to the press, the public and/or Congress. Indeed. having such awareness has allowed agency senior leadership to respond efficiently to inquiries about such releases. In an effort to ensure consistency and provide clarity, this memorandum sets forth the awareness notification process to be followed at the agency.

This awareness notification process is not an approval process, nor does this process alter or eliminate any part of the agency's existing procedures for collecting, reviewing or redacting documents, or preparing responses to FOIA requests. Consistent with the agency's FOIA policy and procedures, FOIA staff, program staff and program managers will continue to determine whether information should be released or withheld under FOIA's exemptions. The awareness notification process described below is effective immediately and controls and supersedes any prior process, procedure, guidance or instruction, either formal or informal, to the extent such is

inconsistent with the awareness notification process described below. The aspects of the awareness notification process described in paragraphs 1 through 3 below will run concurrently with the Action Office's preparation of the FOIA response.

#### **PROCESS**

- The National FOIA Office will provide a list of select FOIA requests received that week to
  the Director of the Office of Executive Secretariat, the Associate Administrator for the Office
  of Public Affairs and the Associate Administrator for the Office of Congressional and
  Intergovernmental Relations, with a courtesy copy to the deputy in each of those three
  offices.
- 2. As promptly as possible but within five business days of transmittal of the list, the OEX Director and the OPA and OCIR Associate Administrators, or their designees, will notify the National FOIA Office Director, or designee, identifying any specific FOIA requests for which they would like to receive an awareness notification.
- 3. For those FOIA requests identified for awareness notification, the National FOIA Office Director or Assistant Directors, or their designees, will promptly indicate in FOIAonline that the FOIA response will require an awareness notification. The National FOIA Office Director, or designee, will also notify the Deputy Assistant Administrator or Deputy Regional Administrator of the Action Office by email, specifying which FOIAs have been identified for awareness notification.
- 4. Following Action Office management approval of the FOIA determination, in accordance with applicable authorities,<sup>2</sup> and prior to issuing the determination, the Action Office shall prepare an "awareness notification email" containing the following information:
  - The name of the Action Office:
  - The FOIAonline tracking number;
  - The name of the requester/organization;
  - The date the FOIA request was perfected;
  - A brief description of the request, as clarified/modified;
  - Whether the response is interim or final:
  - The number of documents and/or pages to be released;
  - An attachment of, or link to, the documents to be released:
  - A list of offices with an equity in the documents and a statement that those offices have reviewed the relevant documents; and
  - The name of the manager responsible for making the FOIA determination.

A copy of the email will be saved in FOIAonline.

1:19-CV-05190 2.1.2022 ED\_003046\_00007060-00002

<sup>&</sup>lt;sup>1</sup> The Action Office, as defined in EPA's Procedures for Responding to Freedom of Information Act Requests CIO 2157-P-01.1, is the organizational unit that has responsibility for responding to a FOIA request.

<sup>&</sup>lt;sup>2</sup> See 5 U.S.C. § 552(a)(6)(A)(i), 40 C.F.R. §§ 2.103(b), 2.104(h), and EPA Delegation of Authority 1-30 Freedom of Information (12/15/2016); see also EPA Freedom of Information Act Policy CIO 2157.1 (09/30/2014) and EPA Procedures for Responding to Freedom of Information Act Requests CIO 2157-P-01.1 (09/30/2014).

- 5. The Action Office will send the "awareness notification email" to the OEX Director and Deputy Director, the National FOIA Office Director and Assistant Directors, the OPA and OCIR Associate Administrator and Deputy Associate Administrator, the Deputy Assistant Administrator or Deputy Regional Administrator of the Action Office and the individual assigned to the request in FOIAonline.
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The awareness process discussed above does not affect the statutory timelines or, when applicable, litigation deadlines facing the agency.

As Acting Administrator Wheeler shared in his November 13, 2018, memorandum, the EPA is committed to conducting its business in an open and transparent manner and will continue to take steps to improve the efficacy and efficiency of its FOIA process. Hook forward to working with all of you to make the EPA a flagship example of transparent, efficient and effective government.

cc: Andrew R. Wheeler Henry Darwin From: Thompson, Heather [Thompson.Heather@epa.gov]

**Sent**: 8/15/2019 5:19:53 PM

To: Thompson, Heather [Thompson.Heather@epa.gov]; FOIA Coordinators [FOIA\_Coordinators@epa.gov]; FOIA Officers

[FOIAOfficers@epa.gov]; Schena, Cristeen [Schena.Cristeen@epa.gov]; Smart, Mark [smart.mark@epa.gov]; Knapp,

Michael [Knapp.Michael@epa.gov]; Williamson, Timothy [Williamson.Tim@epa.gov]; Calderon, Wanda [Calderon.Wanda@epa.gov]; Simon, Paul [Simon.Paul@epa.gov]; Ferrara, Helen [Ferrara.Helen@epa.gov];

D'Andrea, Michael [DANDREA.MICHAEL@EPA.GOV]; Tate, Rita [Tate.Rita@epa.gov]; Gross, Louann

[Gross.LouAnn@epa.gov]; Daniels-Lewis, Alicia [Daniels-Lewis.Alicia@epa.gov]; Puchalski, Connie

[puchalski.connie@epa.gov]; Klassman, Debra [klassman.debra@epa.gov]; Nelson, Leverett

[nelson.leverett@epa.gov]; Lupton, Jane [lupton.jane@epa.gov]; Ho, Nancy [Ho.Nancy@epa.gov]; Smith, Suzanne [Smith.Suzanne@epa.gov]; Skelley, Dana [Skelley.Dana@epa.gov]; Stevens, Edie [Stevens.Edie@epa.gov]; Joffe, Brian [Joffe.Brian@epa.gov]; Engels, Alan [engels.alan@epa.gov]; Johnson, Ivry [Johnson.lvry@epa.gov]; Busterud, Gretchen [Busterud.Gretchen@epa.gov]; Kercheval, Stephanie [Kercheval.Stephanie@epa.gov]; Edgell, Joe

[Edgell.Joe@epa.gov]; Castanon, Lisa [Castanon.Lisa@epa.gov]; Shields, Edward [Shields.Ed@epa.gov]; Sheehan,

Charles [Sheehan.Charles@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Best-Wong, Benita [Best-

Wong.Benita@epa.gov]; Ingram, Earl [Ingram.Earl@epa.gov]

Leadership Deputy Assistant Administrators [Leadership Deputy Assistant Administrators@epa.gov];

 $Leadership\_Deputy\_Associate\_Administrators~[Leadership\_Deputy\_Associate\_Administrators@epa.gov];\\$ 

Leadership\_Deputy\_Regional\_Administrators [Leadership\_Deputy\_Regional\_Administrators@epa.gov]; Regional\_Counsels [Regional\_Counsels@epa.gov]; Regional\_Counsels@epa.gov]; Kelly

Counsels [Regional\_Counsels@epa.gov]; Deputy Regional Counsels [Deputy\_Regional\_Counsels@epa.gov]; Kelly, Lynn [Kelly.Lynn@epa.gov]; Miller, Kevin [Miller, Kevin@epa.gov]; OGC NFO [OGC-NFO@epa.gov]; Lis-Coghlan,

Kamila [lis-coghlan.kamila@epa.gov]; Kadeli, Lek [Kadeli.Lek@epa.gov]; Clausen, Rebecca

[Clausen.Rebecca@epa.gov]; Carpenter, Wesley [Carpenter.Wesley@epa.gov]; Smiley, Cassandra

[smiley.cassandra@epa.gov]; Gupta, Kaushal [Gupta.Kaushal@epa.gov]; Gary, Gayvonne [Gary.Gayvonne@epa.gov];

Harmon, Stephanie [harmon.stephanie@epa.gov]; Holst, Linda [holst.linda@epa.gov]; Jaffess, Sharon

[jaffess.sharon@epa.gov]; Jones, Evette [jones.evette@epa.gov]; King-Hackney, Ashadee [King-

Hackney. Ashadee@epa.gov]; Matheson, Thomas [matheson.thomas@epa.gov]; O'Lone, Kimberly

[OLone.Kimberly@epa.gov]; Rosado, Elizabeth [rosado.elizabeth@epa.gov]; Rowan, Anne [rowan.anne@epa.gov];

Sulej, Erik [Sulej.Erik@epa.gov]; Vernon, Portrice [vernon.portrice@epa.gov]; Weimer, Noreen

[weimer.noreen@epa.gov]; Wilson, Terri [Wilson.Terri@epa.gov]; Tonic, Ingrid [tonic.ingrid@epa.gov]; Kennedy,

Chandra [Kennedy.Chandra@epa.gov]; Idsal, Anne [idsal.anne@epa.gov]; Rementer, Nicole

[rementer.nicole@epa.gov]; Newton, Cheryl [Newton.Cheryl@epa.gov]; Almazan, Christina

[almazan.christina@epa.gov]; Hauser, Mitchell [hauser.mitchell@epa.gov]; Beck, Nancy [Beck.Nancy@epa.gov];

Mastro, Donna [Mastro.Donna@epa.gov]; Armstrong, Kathy [Armstrong.Kathy@epa.gov]; Robinson, Donna

[Robinson.Donna@epa.gov]; Woodard-Burrell, Gwendolyn [Woodard-Burrell.Gwendolyn@epa.gov]; Cody, Karen

[Cody.Karen@epa.gov]; Cruver, Melvin [Cruver.Melvin@epa.gov]; Pearce, Jennifer [Pearce.Jennifer@epa.gov];

Pressley, Miriam [Pressley.Miriam@epa.gov]; Johnson, Priscilla [Johnson.Priscilla@epa.gov]; Hoverman, Taylor

[hoverman.taylor@epa.gov]; Wildeman, Anna [wildeman.anna@epa.gov]; Blackburn, Elizabeth

[Blackburn.Elizabeth@epa.gov]; Furey, Eileen [furey.eileen@epa.gov]; Thomas, Deb [thomas.debrah@epa.gov];

Levine, Scott [Levine.Scott@epa.gov]; Hamilton, Sabrina [Hamilton.Sabrina@epa.gov]; Hines, Andrea

[hines.andrea@epa.gov]; Forsgren, Lee [Forsgren.Lee@epa.gov]; Bhatt, Krishna [bhatt.krishna@epa.gov]; Bossard,

Justin [bossard.justin@epa.gov]; Schumacher, Wendy [schumacher.wendy@epa.gov]; Malloy, Marilyn

[Malloy, Marilyn@epa.gov]; DeBell, Kevin [debell.kevin@epa.gov]; Cunningham, Dennis

[Cunningham.Dennis@epa.gov]; Hill, Kevin W. [hill.kevinw@epa.gov]; Spears, Rasheena [spears.rasheena@epa.gov];

Moumbleaux, Joan [moumbleaux.joan@epa.gov]; Gottesman, Larry [Gottesman.Larry@epa.gov]; Shoaff, John

[Shoaff.John@epa.gov]; Lubetsky, Jonathan [Lubetsky.Jonathan@epa.gov]; Collazo, Beatriz

[collazo.beatriz@epa.gov]; Weinstock, Larry [Weinstock.Larry@epa.gov]; Sandfoss, Kristina

[Sand foss. Kristina@epa.gov]; Walker, Denise [Walker.Denise@epa.gov]; Coogan, Daniel [Coogan.Daniel@epa.gov]; Coogan, Daniel [Coogan.Daniel@epa.gov]; Walker, Denise [Walker.Denise@epa.gov]; Walker, Denise [Walker.Denise@epa.gov]; Coogan, Daniel [Coogan.Daniel@epa.gov]; Walker, Denise [Walker.Denise@epa.gov]; Walker, Walke

Badalamente, Mark [Badalamente.Mark@epa.gov]; Creech, Christopher [Creech.Christopher@epa.gov]; McLendon,

Wanda [McLendon.Wanda@epa.gov]; Newman, Maya [Newman.Maya@epa.gov]; Smith, Susan

[Smith.Susan@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Murdock, James [Murdock.James@epa.gov]; Haas,

Susan [Haas.Susan@epa.gov]; Broussard, Christine J. [broussard.christine@epa.gov]; Cuellar-Amrod, Lara M. [cuellar-amrod.lara@epa.gov]; Noel, Jan [Noel.Jan@epa.gov]; Kudarauskas, Paul [Kudarauskas.Paul@epa.gov];

Dunlap, David [dunlap.david@epa.gov]; Hoff, David [hoff.david@epa.gov]; Gardner, Allison

[Gardner.Allison@epa.gov]; Rodrigues, Cecil [rodrigues.cecil@epa.gov]; Wooden-Aguilar, Helena [Wooden-

Aguilar.Helena@epa.gov]; Brown, Sineta [Brown.Sineta@epa.gov]; Swanson, Amy [Swanson.Amy@epa.gov];

CC:

Nishida, Jane [Nishida.Jane@epa.gov]; Schwab, Justin [Schwab.Justin@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Stanich, Ted [Stanich.Ted@epa.gov]; Vizian, Donna [Vizian.Donna@epa.gov]; Noga, Vaughn [Noga.Vaughn@EPA.GOV]; Payne, James [payne.james@epa.gov]

**Subject**: Listening Session - FOIA Search and Review Responsibilities

Attachments: Search and Review Listening Session.pptx Location: WJC North 6013 and Skype Meeting

**Start**: 8/21/2019 2:00:00 PM **End**: 8/21/2019 4:00:00 PM

Show Time As: Tentative

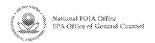
The National FOIA Office (NFO) is seeking your input on Lead FOIA Office and Contributing Office search and review responsibilities. I have attached some session slides to facilitate discussion on these topics.

Headquarters and Regional leadership are invited to delegate attendance to the most appropriate individual/manager. EPA FOIA Officers and Coordinators are included in the invite.

Please use the conference line below to connect to audio if you are participating remotely.

Conference Line Conference ID:	<b>Ex.</b> 6	
Join Skype I	Veeting	
Trouble Joining	g? Try Skype Web App	
<u>Help</u>		

1:19-CV-05190



# Listening Sessions Updates to EPA FOIA Policy and EPA FOIA Procedures

Heather Thompson, OGC National FOIA Office Krishna Bhatt, OGC National FOIA Office

## Purpose/Road Map

- \* The draft Policy and draft Procedures went out on August 12, 2019. Requesting consolidated, written comments by COB September 20, 2019.
- The purpose of this listening session is to:
  - Answer any questions you may have regarding the search and review tasks outlined in the draft Procedures.
  - Allow you to provide initial comments/feedback on these two topics.
- May be helpful to have a copy of the draft Procedures at hand during the listening session.
  - Find the link under FOIA News on our SharePoint site. https://usepa.sharepoint.com/sites/EPA\_OGC\_NFO

### Ground Rules

- Please mute your phone until your Region/Program is called on.
- Roundtable Format: we want to make sure that each office has a chance to provide feedback on these two topics. NFO will call on each Region and Headquarters office to provide input.
- After roundtable and if time allows, we will open up the session for general comments/suggestions.

## Topic 1 - Search

## Topic 2 - Review

Contribution Office

## Next Steps

- Additional general listening sessions
  - August 28, 2019 10am-noon WJC North 4530
  - September 10, 2019 1-3pm WJC North 6013
- Written comments/suggested edits to Heather Thompson and Krishna Bhatt by COB September 20, 2019
- Additional review/comment period on draft documents - TBD

#### Appointment

From: Gottesman, Larry [Gottesman.Larry@epa.gov]

**Sent**: 12/7/2018 5:04:27 PM

To: Gottesman, Larry [Gottesman.Larry@epa.gov]; FOIA Coordinators [FOIA\_Coordinators@epa.gov]; FOIA Coordinators

Alt [FOIA\_Coordinators\_Alt@epa.gov]; FOIA Officers Alt [FOIAOfficers-Alt@epa.gov]; Info Attys

[Info\_Attys@epa.gov]; Tran, Victoria [tran.victoria@epa.gov]; OGC NFO [OGC-NFO@epa.gov]; Ingram, Earl

[Ingram.Earl@epa.gov]; Lubetsky, Jonathan [Lubetsky.Jonathan@epa.gov]; Espinoza, Ana [Espinoza.Ana@epa.gov];

Zipf, Lynn [Zipf.Lynn@epa.gov]

Subject: FOIA Coordinators/Officers meeting

Attachments: FOIA Efficiency Memo.pdf; Awareness Notification e-mail template 11272018 Final (003).docx

**Location**: DCRoomARN6500PolyPCTB/DC-ARN-OAR

**Start**: 12/18/2018 6:00:00 PM **End**: 12/18/2018 8:00:00 PM

Show Time As: Tentative

We are having a joint FOIA Coordinators and Offices meeting for the month of December.

The focus of this meeting will be to discuss and answer any questions you have concerning the attached documents.

The call in number will be Ex. 6 onference cod Ex. 6

Please feel free to share this invite with your FOIA professionals.

Please let me know if you have any questions.

Thank you.

Larry Gottesman

#### **Awareness Notification Email Template**

**To Line:** Elizabeth White, Director, OEX

Brian Hope, Deputy Director, OEX

Victoria Tran, Advisor, OEX

Timothy Epp, Director, National FOIA Office

Nancy Grantham, Principle Deputy Associate Administrator, OPA

Troy Lyons, Associate Administrator, OCIR

Robin H. Richardson, Principle Deputy Associate Administrator, OCIR

John Konkus, Deputy Associate Administrator, OPA Denise Walker, Assistant Director, National FOIA Office Larry Gottesman, Assistant Director, National FOIA Office

[insert Action Office's Deputy Assistant Administrator or Deputy Regional Administrator]

[insert - individual assigned to the request in FOIAonline]

**Subject:** Awareness Notification [Include EPA FOIA ID here] [Identify general topic of FOIA]

To whom it may concern,

[Identify the Action Office here] is responding to the above-referenced FOIA request(s). We are providing this awareness notification email pursuant to the Chief of Staff's November 16, 2018 memorandum "Awareness Notification Process for Select Freedom of Information Act Releases." Recipients of this email have up to three business days following transmission of this email to review the documents to be released.

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EPA- HQ- 2019- 00xxx	Jane Q. Public	News Group	11/10/2018	11/17/2018	Documents seeking records about X.	Interim response	10 records	

					about A.		
The following offices have equities in these records and have reviewed the relevant records:							
Office 1 Office 2 Office 3	?						
The manager who approved this release is:							
The records are:							
attached							
may be found at the following link: [Insert link]							



#### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

November 16, 2018

OFFICE OF THE ADMINISTRATOR

#### <u>MEMORANDUM</u>

SUBJECT: Awareness Notification Process for Select Freedom of Information Act Releases

FROM: Ryan Jackson

Chief of Staff

**TO:** General Counsel

**Assistant Administrators** 

Inspector General Chief Financial Officer Associate Administrators Regional Administrators Regional Counsels

Deputy Regional Counsels

FOIA Coordinators

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  - The FOIAonline tracking number:
  - The name of the requester/organization;
  - The date the FOIA request was perfected;
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  - The number of documents and/or pages to be released;
  - An attachment of, or link to, the documents to be released:
  - A list of offices with an equity in the documents and a statement that those offices have reviewed the relevant documents; and
  - The name of the manager responsible for making the FOIA determination.

A copy of the email will be saved in FOIAonline.

1:19-CV-05190 2.1.2022 ED\_003046\_00007116-00002

<sup>&</sup>lt;sup>1</sup> The Action Office, as defined in EPA's Procedures for Responding to Freedom of Information Act Requests CIO 2157-P-01.1, is the organizational unit that has responsibility for responding to a FOIA request.

<sup>&</sup>lt;sup>2</sup> See 5 U.S.C. § 552(a)(6)(A)(i), 40 C.F.R. §§ 2.103(b), 2.104(h), and EPA Delegation of Authority 1-30 Freedom of Information (12/15/2016); see also EPA Freedom of Information Act Policy CIO 2157.1 (09/30/2014) and EPA Procedures for Responding to Freedom of Information Act Requests CIO 2157-P-01.1 (09/30/2014).

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As Acting Administrator Wheeler shared in his November 13, 2018, memorandum, the EPA is committed to conducting its business in an open and transparent manner and will continue to take steps to improve the efficacy and efficiency of its FOIA process. Hook forward to working with all of you to make the EPA a flagship example of transparent, efficient and effective government.

cc: Andrew R. Wheeler Henry Darwin From: Gottesman, Larry [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7B3DBF872F954FBEB950E98C56BDC431-LGOTTESM)

**Sent**: 7/22/2019 8:22:11 PM

To: FOIA Officers [FOIAOfficers@epa.gov]; FOIA Officers Alt [FOIAOfficers-Alt@epa.gov]; Adkins, Norman

[adkins.norman@epa.gov]; Barnett-Owens, Inga [Barnett-Owens.Inga@epa.gov]; Brown, Sineta [Brown.Sineta@epa.gov]; Cunningham, Dennis [Cunningham.Dennis@epa.gov]; Hamilton, Sabrina [Hamilton.Sabrina@epa.gov]; Kennedy, Chandra [Kennedy.Chandra@epa.gov]; Levine, Scott

[Levine.Scott@epa.gov]; Collazo, Beatriz [collazo.beatriz@epa.gov]; Malloy, Marilyn [Malloy.Marilyn@epa.gov]; McLendon, Wanda [McLendon.Wanda@epa.gov]; Newman, Maya [Newman.Maya@epa.gov]; Newton, Jonathan

[Newton.Jonathan@epa.gov]; Routt, Christiane [Routt.Christiane@epa.gov]; Schumacher, Wendy

[schumacher.wendy@epa.gov]; Williams, LaShawn [williams.lashawn@epa.gov]; Zipf, Lynn [Zipf.Lynn@epa.gov];

FOIA Officers [FOIAOfficers@epa.gov]; Bossard, Justin [bossard.justin@epa.gov]

CC: Person, Linda [Person.Linda@epa.gov]; Epp, Timothy [Epp.Timothy@epa.gov]; Walker, Denise

[Walker.Denise@epa.gov]

**Subject**: Awareness Notification Template update **Attachments**: Awareness Notificiation Template.docx

Attached is an updated Awareness Notification Template. Please use this updated template for all future Awareness Notifications. The only change from the existing template is Travis Voyles, the Deputy Assistant Administrator for OCIR has be added and Troy Lyons has been removed from the distribution list. Please share this update template with your FOIA professionals.

Please let me know If you have any questions.

Thank you for your continued support.

Larry F. Gottesman Agency FOIA Officer National FOIA Office Office of General Counsel U.S. Environmental Protection Agency

202-566-2162 (Direct line) 202-689-4588 (Mobile) 202-566-1667 (Main line)



### **Awareness Notification Email Template**

To Line: Elizabeth White, Director, OEX

Brian Hope, Deputy Director, OEX

Victoria Tran, Advisor, OEX

Timothy Epp, Director, National FOIA Office

Nancy Grantham, Principle Deputy Associate Administrator, OPA

Travis Voyles, Deputy Associate Administrator, OCIR

Robin H. Richardson, Principle Deputy Associate Administrator, OCIR

John Konkus, Deputy Associate Administrator, OPA Denise Walker, Assistant Director, National FOIA Office Larry Gottesman, Assistant Director, National FOIA Office

[insert Action Office's Deputy Assistant Administrator or Deputy Regional Administrator]

[insert - individual assigned to the request in FOIAonline]

Subject: Awareness Notification [Include EPA FOIA ID here] [Identify general topic of FOIA]

To whom it may concern,

[Identify the Action Office here] is responding to the above-referenced FOIA request(s). We are providing this awareness notification email pursuant to the Chief of Staff's November 16, 2018 memorandum "Awareness Notification Process for Select Freedom of Information Act Releases." Recipients of this email have up to three business days following transmission of this email to review the documents to be released.

There is no requirement for you to respond to this email or otherwise take action. The Action Office has completed review and obtained management approval consistent with the agency's FOIA policy and procedures.

After 4 p.m. on the third business day after transmission of this email, the Action Office will issue the Agency's FOIA determination to the requester(s). The determination will be issued promptly, but in no event later than one business day following completion of the three-day awareness notification period.

The information provided below is consistent with Paragraph 4 of the above-referenced November 16, 2018 memorandum.

[Action	[Action Office]						
FOIA ID	Requester	Requester Organization	Date FOIA Request Perfected	Date sent for Awareness Notification	Brief description of request as clarified	Interim or Final Response	Number of Records and/or pages
EPA- HQ- 2019- 00xxx	Jane Q. Public	News Group	11/10/2018	11/17/2018	Documents seeking records about X.	Interim response	10 records

The fol	The following offices have equities in these records and have reviewed the relevant records:						
Office 1 Office 2 Office 3	Office 2						
The ma	anager who	approved this r	elease is:				
The re	The records are:						
att	attached						
ma	may be found at the following link: [Insert link]						

Message Walker, Denise [Walker.Denise@epa.gov] From: Sent: 11/29/2018 3:42:21 PM To: Gottesman, Larry [Gottesman.Larry@epa.gov] CC: Epp, Timothy [Epp.Timothy@epa.gov] Subject: Awareness Notification cover e-mail Attachments: Awareness Notification e-mail template 11272018 Final.docx Larry: Please use the following cover e-mail, attached email template, and Ryan Jackson's memo for your correspondence to offices with flagged requests. I am around if you would like to give me a call. Best, Denise \*\*\*\*\*\*\*\*\* Dear \_\_\_\_: The following FOIA requests, assigned to your office, have been selected for the Awareness Notification Process set forth in the attached Chief of Staff's Memorandum. The FOIAonline tracking number(s) for the selected FOIA requests is/are: For these FOIA requests, please follow the procedures set out in the attached Chief of Staff's Memorandum. For steps 4 and 5, an email template is attached for your use. Please contact me if you have any questions. Thank you, Larry F. Gottesman

Larry F. Gottesman Agency FOIA Officer Office of General Counsel U.S. Environmental Protection Agency

202-566-2162 (Direct line) 202-689-4588 (Mobile) 202-566-1667 (Main line)

### **Awareness Notification Email Template**

**To Line:** Elizabeth White, Director, OEX

Brian Hope, Deputy Director, OEX Victoria Tran, Special Assistant, OEX

Timothy Epp, Director, National FOIA Office

Nancy Grantham, Principle Deputy Associate Administrator, OPA

Troy Lyons, Associate Administrator, OCIR

Robin H. Richardson, Principle Deputy Associate Administrator, OCIR

John Konkus, Deputy Associate Administrator, OPA Denise Walker, Assistant Director, National FOIA Office Larry Gottesman, Assistant Director, National FOIA Office

[insert Action Office's Deputy Assistant Administrator or Deputy Regional Administrator]

[insert - individual assigned to the request in FOIAonline]

**Subject:** Awareness Notification [Include EPA FOIA ID here] [Identify general topic of FOIA]

To whom it may concern,

[Identify the Action Office here] is responding to the above-referenced FOIA request(s). We are providing this awareness notification email pursuant to the Chief of Staff's November 16, 2018 memorandum "Awareness Notification Process for Select Freedom of Information Act Releases." Recipients of this email have up to three business days following transmission of this email to review the documents to be released.

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[Action	[Action Office]							
FOIA ID	Requester	Requester Organization	Date FOIA Request Perfected	Date sent for Awareness Notification	Brief description of request as clarified	Interim or Final Response	Number of Records and/or pages	
EPA- HQ- 2019- 00xxx	Jane Q. Public	News Group	11/10/2018	11/17/2018	Documents seeking records about X.	Interim response	10 records	

The fol	The following offices have equities in these records and have reviewed the relevant records:						
Office 1 Office 2 Office 3	Office 2						
The ma	anager who	approved this r	elease is:				
The re	cords are:						
att	ached						

\_\_\_ may be found at the following link: [Insert link]

### Message

Epp, Timothy [Epp.Timothy@epa.gov] From:

11/30/2018 7:44:14 AM Sent:

To: Walker, Denise [Walker.Denise@epa.gov]; Gottesman, Larry [Gottesman.Larry@epa.gov]; Schumacher, Wendy

[schumacher.wendy@epa.gov]

CC: Blake, Wendy [Blake.Wendy@epa.gov]; Youngblood, Charlotte [Youngblood.Charlotte@epa.gov]; Miller, Kevin

[Miller.Kevin@epa.gov]; Kelly, Lynn [Kelly.Lynn@epa.gov]

Subject: Awareness Notification Process rollout

Attachments: Awareness Notification e-mail template 11272018 Final.docx

Hi all.

As a result of my presentation to the Agency's Executive Management Council meeting, I am getting requests from program offices to talk with their management teams about the FOIA backlog reduction effort and relatedly the Awareness Notification Process. I could use help generating talking points to speak to the common issues/questions that are arising in the early implementation - what are the problems and what solutions are we devising.

The first of these meetings is on Tuesday to OITA. Fortunately, the first office does not have a significant backlog.

For these presentations, I will also need to use accurate graphs showing the current state of FOIA backlog, rather than the graphs that I used for EMC, which apparently were not accurate.

Thanks, Tim

Timothy R. Epp Acting Director, National FOIA Office Office of General Counsel U.S. Environmental Protection Agency Tel. 202-564-2830

From: Lubetsky, Jonathan

Sent: Thursday, November 29, 2018 1:05 PM

To: Gottesman, Larry <Gottesman.Larry@epa.gov>; Purifoy, Tiffany <Purifoy.Tiffany@epa.gov>

Cc: White, Elizabeth <white.elizabeth@epa.gov>; Tran, Victoria <tran.victoria@epa.gov>; Thompson, BrianK <Thompson.BrianK@epa.gov>; Scully, Carolyn <Scully.Carolyn@epa.gov>; Epp, Timothy <Epp.Timothy@epa.gov>

Subject: RE: EPA-HQ-2018-008646

Thank you for sharing this. This is the first we have seen the template form and happy to have a further clarified set of instructions. I have many questions but let me start here.

Is this how you are telling people for each flagged FOIA or has this been distributed to the agency? Has ediscovery been consulted in regards to the process to produce a pre-production version of the documents from relativity 9.5 or direct access to relativity for awareness notification? As well as other e-disco implications? What is meant by manager that approved the release, is this the office director, is it literally the closest manager to the individual responsible for the FOIA?

Thank you, Jonathan

From: Gottesman, Larry

Sent: Thursday, November 29, 2018 12:44 PM

To: Purifoy, Tiffany < Purifoy. Tiffany@epa.gov>

Cc: Lubetsky, Jonathan < <u>Lubetsky</u>.Jonathan@epa.gov>

**Subject:** EPA-HQ-2018-008646

Please follow the process set out in the attached email.

Larry F. Gottesman Agency FOIA Officer Office of General Counsel U.S. Environmental Protection Agency

202-566-2162 (Direct line) 202-689-4588 (Mobile) 202-566-1667 (Main line)

### Message

From: Gottesman, Larry [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7B3DBF872F954FBEB950E98C56BDC431-LGOTTESM]

**Sent**: 12/17/2018 10:38:18 PM

To: Stevens, Edie [Stevens.Edie@epa.gov]

**Subject:** Awareness Notification e-mail template 11272018 Final (002).docx **Attachments:** Awareness Notification e-mail template 11272018 Final (002).docx

### **Awareness Notification Email Template**

To Line: Elizabeth White, Director, OEX

Brian Hope, Deputy Director, OEX

Victoria Tran, Advisor, OEX

Timothy Epp, Director, National FOIA Office

Nancy Grantham, Principle Deputy Associate Administrator, OPA

Troy Lyons, Associate Administrator, OCIR

Robin H. Richardson, Principle Deputy Associate Administrator, OCIR

John Konkus, Deputy Associate Administrator, OPA Denise Walker, Assistant Director, National FOIA Office Larry Gottesman, Assistant Director, National FOIA Office

[insert Action Office's Deputy Assistant Administrator or Deputy Regional Administrator]

[insert - individual assigned to the request in FOIAonline]

**Subject:** Awareness Notification [Include EPA FOIA ID here] [Identify general topic of FOIA]

To whom it may concern,

[Identify the Action Office here] is responding to the above-referenced FOIA request(s). We are providing this awareness notification email pursuant to the Chief of Staff's November 16, 2018 memorandum "Awareness Notification Process for Select Freedom of Information Act Releases." Recipients of this email have up to three business days following transmission of this email to review the documents to be released.

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The information provided below is consistent with Paragraph 4 of the above-referenced November 16, 2018 memorandum.

[Action	[Action Office]							
FOIA ID	Requester	Requester Organization	Date FOIA Request Perfected	Date sent for Awareness Notification	Brief description of request as clarified	Interim or Final Response	Number of Records and/or pages	
EPA- HQ- 2019- 00xxx	Jane Q. Public	News Group	11/10/2018	11/17/2018	Documents seeking records about X.	Interim response	10 records	

Оххх					about X.		
The fol	lowing offic	es have equitie	s in these reco	ords and have	reviewed th	e relevant r	ecords:
Office 1 Office 2 Office 3	Office 2						
The ma	anager who	approved this r	elease is:				
The re	cords are:						
att	attached						
ma	may be found at the following link: [Insert link]						

### Message

From: Gottesman, Larry [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7B3DBF872F954FBEB950E98C56BDC431-LGOTTESM]

**Sent**: 12/4/2018 9:30:17 PM

To: Person, Linda [Person.Linda@epa.gov]

**Subject:** Awareness Notification e-mail template 11272018 Final (003).docx **Attachments:** Awareness Notification e-mail template 11272018 Final (003).docx

Let's use this word version in the future.

**Thanks** 

Larry F. Gottesman Agency FOIA Officer Office of General Counsel U.S. Environmental Protection Agency

202-566-2162 (Direct line) 202-689-4588 (Mobile) 202-566-1667 (Main line)

### **Awareness Notification Email Template**

To Line: Elizabeth White, Director, OEX

Brian Hope, Deputy Director, OEX

Victoria Tran, Advisor, OEX

Timothy Epp, Director, National FOIA Office

Nancy Grantham, Principle Deputy Associate Administrator, OPA

Troy Lyons, Associate Administrator, OCIR

Robin H. Richardson, Principle Deputy Associate Administrator, OCIR

John Konkus, Deputy Associate Administrator, OPA Denise Walker, Assistant Director, National FOIA Office Larry Gottesman, Assistant Director, National FOIA Office

[insert Action Office's Deputy Assistant Administrator or Deputy Regional Administrator]

[insert - individual assigned to the request in FOIAonline]

Subject: Awareness Notification [Include EPA FOIA ID here] [Identify general topic of FOIA]

To whom it may concern,

[Identify the Action Office here] is responding to the above-referenced FOIA request(s). We are providing this awareness notification email pursuant to the Chief of Staff's November 16, 2018 memorandum "Awareness Notification Process for Select Freedom of Information Act Releases." Recipients of this email have up to three business days following transmission of this email to review the documents to be released.

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[Action	[Action Office]							
FOIA ID	Requester	Requester Organization	Date FOIA Request Perfected	Date sent for Awareness Notification	Brief description of request as clarified	Interim or Final Response	Number of Records and/or pages	
EPA- HQ- 2019- 00xxx	Jane Q. Public	News Group	11/10/2018	11/17/2018	Documents seeking records about X.	Interim response	10 records	

The fol	The following offices have equities in these records and have reviewed the relevant records:					
Office 1 Office 2 Office 3	•					
The ma	anager who	approved this r	elease is:			
The re	cords are:					
att	ached					
ma	ay be found	at the following	g link: [ <i>Insert l</i>	ink]		

From: Person, Linda [Person.Linda@epa.gov]

**Sent**: 9/30/2019 3:29:46 PM

To: Hope, Brian [Hope.Brian@epa.gov]

CC: Gottesman, Larry [Gottesman.Larry@epa.gov]; Newton, Jonathan [Newton.Jonathan@epa.gov]

**Subject**: Awareness Notification

Attachments: FOIA Efficiency Memo (1).pdf; Awareness Notification Template.docx

(This is being sent on behalf of Larry Gottesman. Any questions concerning the Awareness Notification should be sent to Larry.)

### Dear Mr. Hope:

The following FOIA requests, assigned to your office, have been selected for the Awareness Notification Process set forth in the attached Chief of Staff's Memorandum.

The FOIAonline tracking number(s) for the selected FOIA requests is/are:

OFFICE	FOIA NUMBER	SUBJECT
AO	EPA-HQ-2019- 007583	Any and all documents (including emails) regarding the use of climate change language on official government documents, websites, or statements. Any and all documents (including emails) regarding internal policies surrounding the use of climate change language on official government documents, websites, or statements.
AO	EPA-HQ-2019- 007595	All electronic records related to the acting Deputy Administrator Henry Darwin's participation in a speaking engagement on October 3, 2018 with the Conservative Action Project in Washington, D.C. The publicly released schedule states the engagement was for a meeting and took place at 07:30 AM. at the Family Research Council office.
AO	EPA-HQ-2019- 007609	any and all supporting documents associated with a list or lists of nominations for the EPA's Science Advisory Board and the board's standing committees submitted to the agency by the deadline of June 24, 2019, that disclose who or what organizations made the nominations, why they made them or what their relationship is to the nominees. I am making this request pursuant to the Freedom of Information Act (5 U.S.C. § 552). More details about the list or lists of nominees can be found here: <a href="https://www.federalregister.gov/documents/2019/05/23/2019-10819/request-for-nominations-of-candidates-to-the-epas-science-advisory-board-sab-and-sab-standing">https://www.federalregister.gov/documents/2019/05/23/2019-10819/request-for-nominations-of-candidates-to-the-epas-science-advisory-board-sab-and-sab-standing</a>
AO	EPA-HQ-2019- 007612	I hereby request the records in the possession of the Office of the Administrator that relate to EPA Administrator Andrew Wheeler's travel and participation in the Republican Attorneys General Association (RAGA) Annual Meeting that took place from July 13 - 16, 2019 in White Sulphur Springs, West Virginia at the Greenbrier resort.
AO	EPA-HQ-2019- 007618	I hereby request the records in the possession of the Office of the Administrator that relate to EPA Administrator Andrew Wheeler's travel and participation in an event with the Heritage Foundation on July 17, 2019.

EPA-HQ-2019- 007619	I hereby request the records in the possession of the Office of the Administrator that relate to EPA Administrator Andrew Wheeler's call with Marathon Petroleum on July 11, 2019
EPA-HQ-2019- 007620	I hereby request the records in the possession of the Office of the Administrator that relate to EPA Administrator Andrew Wheeler's meeting with the American Petroleum Institute on July 11, 2019
EPA-HQ-2019- 007621	I hereby request the records in the possession of the Office of the Administrator that relate to EPA Administrator Andrew Wheeler's travel and participation in an event with the Competitive Enterprise Institute on June 20, 2019.
EPA-HQ-2019- 007622	I hereby request the records in the possession of the Office of the Administrator that relate to EPA Administrator Andrew Wheeler's travel and participation in an event with the Domestic Energy Producers Alliance on June 19, 2019
EPA-HQ-2019- 007627	EcoRights Policy Changes, Security Changes, OIG Review, & Wheeler Calendar
EPA-HQ-2019- 007635	all briefing materials prepared for career EPA officials and/or distributed to Senate Judiciary Committee senators and/or staff members related to the EPA briefing given to the Senate Judiciary Committee regarding the EPA final rule entitled "Freedom of Information Act Regulations Update," RIN 2015–AA02, held during the week of July 14, 2019.
EPA-HQ-2019- 007700	Comms with White House re EO 13875 (FACA Improvements)
EPA-HQ-2019- 007701	AO & OCSPP Comms with Dow re Chlorpyrifos
EPA-HQ-2019-	OAR Comms with Energy 45 Fund
EPA-HQ-2019- 007711	Calendar - Director of Center for Faith and Opportunity Initiative
EPA-HQ-2019- 007714	<ol> <li>All communications, including interagency communications, concerning USDA's Honey Bee Colonies Report.</li> <li>All communications, including interagency communications, concerning USDA's Cost of Pollination survey.</li> <li>Please search the following EPA components: Office of the Administrator; Office of Chemical Safety and Pollution Prevention; Office of Congressional and Intergovernmental Relations; Office of Policy. The search period is September 1, 2018 to the date of search conducted.</li> </ol>
EPA-HQ-2019- 007715	Copies of all agendas, meeting notes, meeting minutes, and any other records of created for, during, or as a result of Andrew Wheeler's June 26, 2018 meeting with representatives from and employees of Fuels America.
EPA-HQ-2019- 007716	All e-mails (including attachments) exchanged between any of the following staff of the Environmental Protection Agency and any employee or representative of any of the following organizations:  Environmental Protection Agency:  Andrew K. Wheeler, Acting Administrator Ryan Jackson, Chief of Staff Helena Wooden-Aguilar, Acting Deputy Chief of Staff  External Entities:
	EPA-HQ-2019- 007621  EPA-HQ-2019- 007621  EPA-HQ-2019- 007622  EPA-HQ-2019- 007635  EPA-HQ-2019- 007700  EPA-HQ-2019- 007701  EPA-HQ-2019- 007701  EPA-HQ-2019- 007711  EPA-HQ-2019- 007711  EPA-HQ-2019- 007714

		<ul> <li>Faegre Baker Daniels LLP: This search should include any e-mail addresses with the e-mail domain "@FaegreBD.com."</li> <li>Growth Energy: This search should include any e-mail addresses with the e-mail domain "@growthenerg.org."</li> <li>Sargento Foods Inc.: This search should include any e-mail addresses with the e-mail domain "@sargento.com," "@sargentocheese.com," and "@sartorifoods.com."</li> <li>Underwriters Laboratories: This search should include any e-mail addresses with the e-mail domain "@UL.com."</li> <li>Energy Fuels Resources Inc.: This search should include any e-mail addresses with the e-mail domain "@energyfuels.com."</li> <li>International Paper: This search should include any e-mail addresses with the e-mail domain "@ipaper.com."</li> <li>Xcel Energy: This search should include any e-mail addresses with the e-mail domain "@xcelenergy.com."</li> </ul>
AO	EPA-HQ-2019- 007378	EPA's rulemaking on "Clean Air Act Benefit-Cost Reforms" (RIN: 2060-AU51)
AO	EPA-HQ-2019- 007401	I seek all text and email communications to and from EPA staff Michael Abboud, John Konkus and James Hewitt with the terms "Foia rule" "Foia regulation, "Freedom of Information Act rule", "Freedom of Information Act regulation" and "The Hill gets it wrong" between the dates June 1, 2019 and the date this FOIA search is conducted.
AO	EPA-HQ-2019- 007089	I request all records related to EPA Administrator Andrew Wheeler's schedule from June 1 to July 1, 2019.
AO	EPA-HQ-2019- 007094	all communication records to and from the following individuals at EPA containing the term or otherwise referencing "trump.com"; "trumpgolf.com"; "trumphotels.com"; "trumpinternationalrealty.com"; "trumpwinery.com"; "ivankatrump.com"; "kushner.com"; "observer.com"; or "observedmedia.com" from June 1 to July 1, 2019:  EPA Administrator Andrew Wheeler Acting Deputy EPA Administrator Henry Darwin EPA Chief of Staff Ryan Jackson
AO	EPA-HQ-2019- 007096	Any and all communication sent or received by Congressman Beto O'Rourke, at any point between and including March 1, 2017 and January 03, 2019.  Any and all communication sent or received by Congressman Beto O'Rourke's congressional or district office, including from O'Rourke's staff, at any point between and including March 1, 2017 and January 03, 2019.
AO	EPA-HQ-2019- 007113	copy of the following document(s) be provided to me: all emails, meeting minutes, phone minutes, and correspondence related to the 4711 harassment complaint or the EEO mediation for Johnsie Lang with a specific focus on correspondence from Ronald Hines, William Russo, John Rogers, Wayne Cascio and Kay Holt. The purpose of this request is to gather documents for a claim being filed with the Department of Energy's Inspector General about the lack of an investigation into a 4711 claim that was filed by Johnsie Lang. I would also like to request a copy of any previous EEO harassment or 4711 claims filed against Ronald Hines. I am aware that victims names

		could be associated with these documents and ask that you redact any names of victims from the information you provide me.
AO	EPA-HQ-2019- 007203	all records regarding Chief of Staff Ryan Jackson's external calls
AO	EPA-HQ-2019- 007212	I am seeking copies of Acting EPA Administrator Andrew Wheeler's meeting schedule from July 6, 2018 until today (July 9, 2019).
AO	EPA-HQ-2019- 007214	A full calendar or schedule for Layne Bangerter.
AO	EPA-HQ-2019- 007218	EO 13868 External Communications
AO	EPA-HQ-2019- 006873	All communication records between all EPA political appointees in the Office of Public Affairs, the Office of Air and Radiation and the following entities (For the purposes of assisting with the search, email domains of the entities are provided):  Unions for Jobs and Environmental Progress (ujep4jobs@gmail.com)
		Freedom Works (@freedomworks.org) Americans for Tax Reform (@atr.org) Heritage Foundation (@Heritage.org)
		Pennsylvania Chamber of Business and Industry (@pachamber.org) Kentucky Coal Association (@kentuckycoal.com)
		The search may be limited to records created between August 1, 2018 through to the date this request is processed. The search may also be limited to records containing the following keywords:
		"Affordable Clean Energy" "ACE" "ACE Rule"
		"Clean Power Plan" "CPP"
AO	EPA-HQ-2019- 006942	I request emails sent to and from the following individuals at EPA related to the preparation, creation, release and reaction to the June 24, 2019 EPA press release entitled "Politico Misleads On Trump EPA's Progress Cleaning Up Superfund Sites" from June 24 to June 26, 2019:
		Andrew Wheeler
		Henry Darwin Ryan Jackson
		Michael Molina Corry Schiermeyer
		John Konkus Michael Abboud
		Please consider emails containing one or more of the following search terms as responsive records to my request:
		"misleads" OR "reader of Politico" OR "rightfully confused" OR
		"only fair to ask" OR

		"chose to ignore"
AO	EPA-HQ-2019- 006943	I request emails sent to and from the following individuals at EPA related to the preparation, creation, release and reaction to the June 25, 2019 EPA press release entitled "The Hill Gets It Wrong On New EPA FOIA Regulation" from June 25 to June 28, 2019:
		Andrew Wheeler
		Henry Darwin
		Ryan Jackson
		Michael Molina
		Corry Schiermeyer
		John Konkus
		Michael Abboud
		Please consider emails containing one or more of the following search terms as responsive records to my request:
		"Miranda Green" OR
		"gets it wrong" OR
		"grossly inaccurate" OR "retraction" OR
		"false quotes" OR
		"this is not new" OR
		"false reporting" OR
		"completely false" OR
		"https://thehill.com/policy/energy-environment/450169-new-epa-rule-
		would-allow-more-administration-officials-to-weigh-in-on-foia-requests"
AO	EPA-HQ-2019- 006954	I request all documents detailing Andrew Wheeler's schedule from June 1
AO	EPA-HQ-2019-	through June 30, 2019 I request all multimedia or audiovisual recordings of Administrator Andrew
AU	006956	Wheeler, or any related materials recorded at events which he attended, that were created by the Office of Multimedia or any temporarily assigned employee or contractor on or between June 1 and June 30, 2019
AO	EPA-HQ-2019-	I request all photographs of Administrator Andrew Wheeler, or any related
	006957	materials from events which he attended, that were created by Eric Vance or any temporarily assigned employee or contractor on or between June 1 and
	EBA 110 2010	June 30, 2019.
AO	EPA-HQ-2019- 006960	I request copies of all correspondence received by EPA from members of Congress or sent by EPA to members of Congress on or between June 1 and June 30, 2019.
AO	EPA-HQ-2019-	I request a copy of documents containing information on the calendar or
	006994	calendar entries of EPA Administrator Andrew Wheeler from June 1, 2019, to June 30, 2019.
AO	EPA-HQ-2019- 006996	Copies of records mentioning or describing Pride Month activities, events or observances in 2017, 2018 or 2019. This includes, but is not limited to:
		* directives
		* policies
		* pride flag
		* commemoration
		* publications

		* emails, memos, letters, and other communications with OGAs or the White House
AO	EPA-HQ-2019- 007005	An inventory of gifts received by EPA Administrator Andrew Wheeler during his tenure in that post.
AO	EPA-HQ-2019- 007064	I am requesting the following congressional correspondence and any response(s) to this letter from EPA: Control No.: AL-19-000-5248 From: Sen. Ted Cruz Letter date: May 3, 2019 Letter received: May 14, 2019

For these FOIA requests, please follow the procedures set out in the attached Chief of Staff's Memorandum. For steps 4 and 5, an email template is attached for your use.

Please contact me if you have any questions.

Thank you,

Larry F. Gottesman Agency FOIA Officer Office of General Counsel U.S. Environmental Protection Agency

202-566-2162 (Direct line) 202-689-4588 (Mobile) 202-566-1667 (Main line)



### **Awareness Notification Email Template**

**To Line:** Elizabeth White, Director, OEX

Brian Hope, Deputy Director, OEX

Victoria Tran, Advisor, OEX

Timothy Epp, National FOIA Office

Nancy Grantham, Principle Deputy Associate Administrator, OPA

Michael Abboud, Press Secretary, OPA

Joseph Brazauskas, Acting Associate Administrator, OCIR

Robin H. Richardson, Principle Deputy Associate Administrator, OCIR Denise Walker, Acting Assistant Director, National FOIA Office Larry Gottesman, Assistant Director, National FOIA Office

[insert Action Office's Deputy Assistant Administrator or Deputy Regional Administrator]

[insert - individual assigned to the request in FOIAonline]

Subject: Awareness Notification [Include EPA FOIA ID here] [Identify general topic of FOIA]

To whom it may concern,

[Identify the Action Office here] is responding to the above-referenced FOIA request(s). We are providing this awareness notification email pursuant to the Chief of Staff's November 16, 2018 memorandum "Awareness Notification Process for Select Freedom of Information Act Releases." Recipients of this email have up to three business days following transmission of this email to review the documents to be released.

There is no requirement for you to respond to this email or otherwise take action. The Action Office has completed review and obtained management approval consistent with the agency's FOIA policy and procedures.

After 4 p.m. on the third business day after transmission of this email, the Action Office will issue the Agency's FOIA determination to the requester(s). The determination will be issued promptly, but in no event later than one business day following completion of the three-day awareness notification period.

The information provided below is consistent with Paragraph 4 of the above-referenced November 16, 2018 memorandum.

[Action Office]								
FOIA ID	Requester	Requester Organization	Date FOIA Request Perfected	Date sent for Awareness Notification	Brief description of request as clarified	Interim or Final Response	Number of Records and/or pages	
EPA- HQ- 2019- 00xxx	Jane Q. Public	News Group	11/10/2018	11/17/2018	Documents seeking records about X.	Interim response	10 records	

The following offices have equities in these records and have reviewed the relevant records:										
Office 1 Office 2 Office 3										
The ma	anager who	approved this r	elease is:							
The records are:										
attached										
may be found at the following link: [Insert link]										

### Message

From: Walker, Denise [Walker.Denise@epa.gov]

**Sent**: 6/18/2019 3:54:51 PM

To: White, Elizabeth [white.elizabeth@epa.gov]; Hope, Brian [Hope.Brian@epa.gov]; Tran, Victoria

[tran.victoria@epa.gov]; Epp, Timothy [Epp.Timothy@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov];

Lyons, Troy [lyons.troy@epa.gov]; Richardson, RobinH [Richardson.RobinH@epa.gov]; Konkus, John

[konkus.john@epa.gov]; Gottesman, Larry [Gottesman.Larry@epa.gov]

CC: Collazo, Beatriz [collazo.beatriz@epa.gov]; Bhatt, Krishna [bhatt.krishna@epa.gov]; Creech, Christopher

[Creech.Christopher@epa.gov]

Subject: Awareness Notification EPA-HQ-2019-004454 Records about the FEAT

Attachments: EPA FOIA Expert Assistance Team Office (FEAT Office)\_Redacted.pdf; Letter to Ranking Member Elijah E. Cummings

Regarding EPA's FOIA Expert Assistance Team.pdf; New Employee Handbook. FEAT.112015.pdf; NFO Reorganization

Package Signed.pdf

### To whom it may concern,

The Office of Enforcement, Forensics and Training is responding to the above-referenced FOIA request(s). We are providing this awareness notification email pursuant to the Chief of Staff's November 16, 2018 memorandum "Awareness Notification Process for Select Freedom of Information Act Releases." Recipients of this email have up to three business days following transmission of this email to review the documents to be released.

There is no requirement for you to respond to this email or otherwise take action. The Action Office has completed review and obtained management approval consistent with the agency's FOIA policy and procedures.

After 4 p.m. on the third business day after transmission of this email, the Action Office will issue the Agency's FOIA determination to the requester(s). The determination will be issued promptly, but in no event later than one business day following completion of the three-day awareness notification period.

The information provided below is consistent with Paragraph 4 of the above-referenced November 16, 2018 memorandum.

The individual assigned to the request in FOIAonline is: Denise A. Walker

Action Office	OGC National FOIA Office							
FOIA ID	Requestor	Organization	Date of Request perfected	Date Sent for Notification	Description	Status	Disposition	Number of Records and/or pages
EPA- HQ- 2019- 004454	Ann Brown	Center for Biological Diversity	03/21/2019 (received)	6/18/2019	Records about how the FEAT	Interim response	Partial Release	4 records; 107 pages

					does its work			
The follow Office 1: Office 2 Office 3	wing offices	have equities	in these reco	ords and have	reviewed the	e relevant	records:	

The	manager	who	approved	this	release	is:	Timothy	Ерр
-----	---------	-----	----------	------	---------	-----	---------	-----

The records are:

x\_ are attached

\_\_\_ may be found at the following link: [Insert link]



## EPA OGC FOIA Expert Assistance Team Office (FEAT Office)

2/9/2017

1:19-CV-05190 2.1.2022 ED\_003046\_00018411-00001



## Overview of Today's Discussion

- FOIA Expert Assistance Team Background
- The FEAT Process
- Case Management
- Success Stories
- Challenges
- Lessons Learned Keys to Success

# But Wait – FOIA: Isn't this what GLO/ILPG Does?

- ILPG and FEAT both provide legal counseling on FOIAs
  - FEAT: Small percentage of incoming FOIAs (< 5%)
  - ILPG: The other 95%
- ILPG each have other distinct responsibilities



## Background

- EPA receives approximately 11,000 FOIAs annually
- EPA employs a distributed response model
- Issues with this approach:
  - Consistency in redactions
  - Wide variations in FOIA expertise
  - Accountability
  - Timeliness



## Solution: A FEAT

- Strategically centralized solution:
  - Formation of a FOIA Expert Assistance Team (FEAT)
  - Team consults and assists lead office for most complex/voluminous requests

- Complements existing program/policy and procedures:
  - Continues with Lead Office model
  - Retains role of FOIA Coordinator



## FEAT Office Composition

- Director SES Level Position
- 5 GS11 GS15 Staff
  - 4 Attorneys
  - 1 Government Information Specialist (e-Discovery expert)
- Key competencies for FEAT staff members
  - External awareness/organizational awareness
  - Customer/client focus
  - Excellent written and oral communication skills
  - Thorough knowledge of FOIA



## **Process Overview**

- Designating a FEAT FOIA
- Communication and relationship-building with requester(s)
- Managing cradle-to-grave document review
- Case management SharePoint to manage and track progress

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1:19-CV-05190 2.1.2022 ED\_003046\_00018411-00007



## Designating a "FEAT FOIA"

• FEAT Director and lead office Senior Manager agree when a FOIA/issue would benefit from FEAT engagement

• FEAT staff serve as case managers for "FEAT FOIAs"

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1:19-CV-05190 2.1.2022 ED\_003046\_00018411-00008



## Contact Requester(s)

• FEAT and lead program staff review request(s)

• Together they contact requester(s) to clarify/narrow/discuss request(s)

• Build working relationship with requester(s)



## Prepare for Document Review

- Work together with Lead Office to identify universe of custodians/define search terms
- Work with IT staff on document collection/tailor review platform (Relativity) for case needs
- Work with Lead Office to identify first level review team
- Develop coding memo for document review team

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1:19-CV-05190 2.1.2022 ED\_003046\_00018411-00010



# Sample Coding Memo: Excerpt

### Table of Contents

FIRST LEVEL REVIEW Introduction FOIA Background Information FOIA Training Resources	
REVIEW PROCESS  Relativity and Access Coding Documents Checking Out and Reviewing Batches Document Families	4 4 4
GETTING STARTED CODING	<b>6</b>
GUIDELINES FOR RESPONSIVENESS AND RELEVANCE REVIEW	
FOIA EXEMPTIONS.  Ex. 5 — Civil Privileges  i. Attorney Client  ii. Attorney Work Product  iii. Deliberative Process  Ex. 6 — Personal Privacy (Personally Identifiable Information "PII")	7 2 8 9



### Conduct 1st Level Document Review Kick-Off

- 3-4 day session bringing together entire first level review team
- FOIA primer /Relativity primer
- Facts of case
- FOIA request(s)
- Commence document review

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# Sample Agenda: 1st Level Document Review Kick-Off

### Day 1

9:00-9:30am - Background on Flint Crisis and Document Management

9:30-10:30am FOIA Overview

- Background
- Basic FOIA procedures

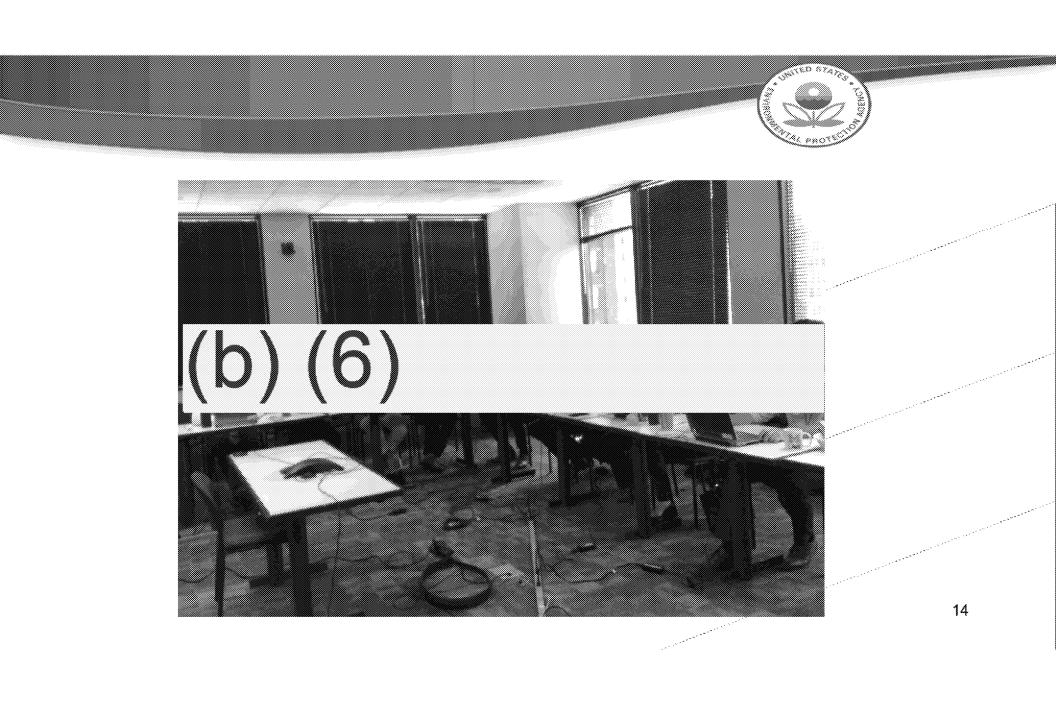
10:45-11:30am - FOIA overview

- Quick overview of all exemptions
- Exemption 5
- Exemption 6 and 7c

12:30-1:00pm-FOIA overview cont'd/questions

1:00-1:30pm Relativity Training

1:30-end of day Document Review (4pm? 4:30? 5pm?)





# FOIA Can be FUN?!!



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# Communication and Encouragement: Example

Team:

GREAT JOB!! You exceeded my expectations and we completed review of **3579** documents today!! Amazing!

We are now over halfway done with the first level review for ALL the outlook e-mail documents required to respond to all of our outstanding Flint FOIA requests (4587/8369).

Your work is important to make sure that we meet our litigation deadlines and produce the records to the public.

Plus, you're a great team to work with. You're asking good questions, staying positive, having fun, and doing an excellent job.



# Complete Document Review

- Continued oversight of first level document review
- Continued contact with requester(s)
- Coordination of second level/management document review
- QA of document review



### **Produce Documents**

- Coordination with press and Congressional affairs offices
- Awareness review for Senior Executives
- Oversight of document production/posting to FOIAonline
- Close-out request(s)



# FEAT Case Management: A Look under the Hood ...

How do we keep track of everything?!



### FEAT SharePoint Site



FEAT: FOIA Expert Assistance Team

Relativity

eDiscovery Request

FOIA improvement Act of 2016

DOJ Guide to the FOIA

tegi.

FEAT: FOIA Expert Assistance Team - Home o

FEAT: FOIA Expert Assistance Team

The Team

Library

**FOIA Contacts** 

Case Overview

Case Event Tracker

Case Archive

About

Recent

Site contents

#### **FEAT Mission**

- Coordinate the Agency's most complex, high-profile FOIA requests.
- · Provide a strong customer service focus.

**FEAT Cases** 

Status FOIA Yopic

Active

Bay Delta

Attorney Manager

SharePoint Workspace

Denise Walker

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# Hyperlinks to FOIA Case Management Workspaces

#### **FEAT Cases**

Status	FOIA Topic	Attorney Manager	SharePoint Workspace
Active	Bay Delta	Denise Walker	
Active	Biomass	Denise Walker	
Active	Clean Power Plan	TBD	
Active	Clean Water Act Stormwater Rule	Denise Walker	
Active	Election Transition'16	Becky Dolph	
Active	Flint Michigan Drinking Water	Denise Walker	Flint
Active	Gold King Mine Spill	Peter Bermes	Intra-Agency Consultations
Active	Hydraulic Fracturing/Fracking	TBD	
Active	Pebble Mine, Bristol Bay	Denise Walker	
Active	PFOA	Denise Walker 🤇	PFOA Congressional Inquiry and FOIA Request Status Tracker
Active	Portland Harbor Superfund Site	Peter Bermes	Portland Harbor FOIA Request Tracker

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# Team Workspace Provides Key Information to Reviewers

PFOA Library						
(1) New	<b>1</b> Upload ◯ Share					
✓ D Name	Document Date	Notes				
Description: (1)						
ن Description : <b>Congressional Material</b> (3)						
Description: Document Collection/Processing Guidance (4)						
Description : FOIA Response Repositories (2)						
Description	: Media Coverage (5)					



# Team Workspace includes a Status Dashboard

#### PFOA Congressional Inquiry and FOIA Request Status Tracker

Status	FOXA ID	Requester	Request Date	Description	POC	Oate Range	eOksovery Request ID	Notes
1. Active	EPA- HQ- 2016- 010308	RouroCouncil/American Chemstry Council/Michele Schoeppe	9/20/2016	a.)Records re Drinking Water Health Advisory for Perfluorooctanoic Acid, aka PFOA and PFOS issued May 2016. b.)Records re EPA's preparation, review, discussion, verting or recommendation re concentrations of PFOA and PFOS compared with Health Advisory level.	Health and Ecological Criteria Division			10/14/16: Teleconference: Requester initially agreed 11/17/14 - 5/26/16. To be confirmed by letter.  9/28/16; Clarification and/or modification sought in
2. Active: Processing	EPA-RS- 2016- 009925	Robert S, Gardner, Law Office	9/1/2016	EPA communications with Colorado Dept.of Public Health & Environment re perfluorinated compounds, PFCs, PFOA, PFOS, PFHpa, unregulated drinking water contaminants, 1/1/16 - 6/1/16.	Adrienne Rivers	1/1/2016 - 6/1/ 2016	ED_000984	<b>9/17/16:</b> Denice spoke to Alani, R3 narrowed reque: OEL
3. Active: Processing Research Records	CMS AL 16 000 9922	Congressional Members Chaffetz and Lummis	97/6/2016	All records from EPA re <b>PFOA in</b> Hoosick Falls, NY from 5/1/14 - 7/6/16.	Kyle Aarons	5/1/14 - 7/6/16	ED_000915	<b>9/29/19</b> ; Relativity workspace is available.  8/29/16; Per OEL ED_000915/ED_000843 is 4th in the 8/4/16; initial response sent, providing links to publications.



# Accountability

- Accountability for FOIA remains with lead office
- Accountability for FEAT:
  - FEAT Office staff accountable to SL Director for management of their cases
  - Director accountable to Principal Deputy General Counsel



# Accomplishments

- In FY16 FEAT involved in ~280 FOIA requests
- Case management was provided on 14 topic areas
- Additionally, FEAT
  - Coordinated all EPA consultation requests to and from White House
  - Reviewed all FOIAs received by the Agency on a weekly basis; notified senior executives of requests of potential interest
  - Provided process improvement recommendations/advice to FOIA program

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# Success Stories: CWA § 316(b)

- Complex request from entity suing the agency over a CWA rulemaking
  - FEAT's first start-to-finish FOIA
  - EPA maintained close communication with requester
  - FEAT led coordination of similar requests received by 8 other federal agencies
  - No FOIA litigation against EPA
  - Requester did file administrative appeal with EPA limited to the withholding of specific documents
  - 24 months from start-to-finish

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### Success Stories: VW

- Over 50 requests on VW emissions violations issues; requests from within and outside U.S.
  - Extensive up-front narrowing of requests and efforts to harmonize requests
  - Required extremely close coordination with EPA enforcement offices, DOJ, and the California Air Resources Board due to on-going enforcement investigations
  - On track for final close-out of all requests by end of February
  - Anticipate close-out of all requests within 16 months of FEAT involvement in the project



### Success Stories: Flint

- 43 requests on Flint water crisis
  - Review database consists of ~97,000 documents
  - First Level Document Review Kick-Off held in Chicago office
    - O Concentrated training and document review resulted in completion of first level review of nearly 9000 documents in one week
  - All Flint FOIA responses coordinated with Congressional productions
  - 28 Flint requests closed; On track to close-out of remaining 15 requests by March
     2017
  - Anticipate close-out of all requests within 13 months of FEAT involvement in the project



# Success Stories: Gold King Mine

- 48 requests on GKM release of over 3M gallons of contaminated water to Animas River during EPA investigation of abandoned mine site
  - Concentrated effort of proactive posting of GKM-related documents to publicly-available website commencing within days of the event
  - Review database consists of over 200,000 documents
  - First Level Document Review Kick-Off in Denver
    - o 20 first level reviewers from 3 regional offices and 3 HQ offices
    - o Completed first level review of nearly 15,000 documents in one week
  - All documents have been produced; in process of administratively closing out requests
  - All documents produced within 17 months of FEAT involvement in the project



# Challenges

- Technology
- Limited staff size
- Resisting "mission drift"
- Ensuring close collaboration with EPA OGC attorneys responsible for counseling on all "non-FEAT" FOIAs GLO/ILPG

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### FEAT Keys to Success

- Excellent staff with right skill set
- Communication with requester(s) early and often
- Close working relationships with lead program office/IT staff/ILPG
- First Level Review Kick-Off Events
- Buy-in to FEAT process at senior executive level of EPA



# Questions?

Becky Dolph

dolph.becky@epa.gov

202-564-5771



#### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Washington, D.C. 20460

July 15, 2018

OFFICE OF GENERAL COUNSEL

The Honorable Elijah E. Cummings Ranking Member Committee on Oversight and Government Reform U.S. House of Representatives Washington, D.C. 20515

#### Dear Ranking Member Cummings:

In a letter from you in your capacity as the Ranking Member of the Committee on Oversight and Government Reform (Committee) to the Honorable Trey Gowdy, Chairman of the Committee, you raised questions regarding the Environmental Protection Agency's (EPA's) process for responding to Freedom of Information Act (FOIA) requests. The letter highlighted the role of EPA's FOIA Expert Assistance Team (FEAT) in that process. I write to provide information as to the origin and role of the FEAT, and to offer to brief Committee staff on the same.

In 2013, EPA's FOIA program was routinely the subject of litigation, public criticism, and Congressional oversight (including oversight by this Committee). Then-Acting Administrator of EPA Robert Perciasepe turned me and my counterpart in the Office of Environmental Information and gave us the following task: make the FOIA process at EPA better. In response, the FOIA Expert Assistance Team, affectionately known as the FEAT, was created. The purpose of the FEAT was to provide strategic direction and project management assistance on the most challenging or complex FOIA requests. Here is how the FEAT was described in its original Functional Statement:

Under the supervision of the Senior Counsel, this unit provides legal counsel on all issues pertaining to selected FOIA requests that have been determined to be [the] most complex and/or potentially sensitive requests received across the Agency. Utilizing an extraordinary breadth of FOIA knowledge and experience, together with in-depth organizational and external awareness, the team provides advice and guidance to the highest echelons of management within the Agency.

Throughout its history, there have been three ways a FOIA request became a "FEAT FOIA": a request from the lead office, a request from the Office of the Administrator, and an independent decision by the FEAT Director. The FEAT would engage on approximately 3% of EPA's FOIA requests each year, with the level of engagement on each request adjusting to the specific needs presented by that request. Among the first FEAT "deployments" – where DC-based experts travel to locations across the agency to help lead a response to a FOIA request – was the Team's engagement with EPA's Region 10 in response to requests related to Bristol Bay, Alaska. Other major "FEAT FOIAs" include requests related to the spill of polluted water from Gold King Mine, EPA's response to Volkswagen's use of defeat devices, and drinking water contamination in Flint, Michigan.

In addition to work on specific FOIA requests, the FEAT also helped keep senior leaders informed of new requests that the agency received each week, coordinated interagency review with the Executive Office of the President (EOP) where the EOP had equities in the responsive documents, and made senior leaders aware of impending FOIA productions. There are multiple benefits to making senior leaders – political and career – aware of productions before they are actually produced: the Office of Congressional and Intergovernmental Affairs can determine if the documents are also responsive to a Congressional request for information and, if so, ensure Congress receives the documents at the same time or slightly before the requestor; the Office of Public Affairs can prepare any communications materials deemed necessary based on the documents to be produced; when the documents are from or about a particular employee, keeping that employee informed throughout the process when appropriate, including at the response stage, can significantly increase their confidence in and respect for the FOIA Program into the future; and, while not meant as a quality control tool, to the extent a mistake is identified, it can be corrected. This "awareness review" process does not itself violate FOIA and can be completed without causing undue delay.

In early 2017, the FEAT began to take on a new responsibility: providing programmatic training and support to an office that was struggling to meet its FOIA responsibilities. FEAT members were "embedded" with OGC's External Civil Rights Compliance Office and OGC's Ethics Office to help those offices gain experience and confidence in their FOIA abilities. Based in part on that experience, EPA Chief of Staff Ryan Jackson asked the FEAT to assist the Administrator's Office (AO) in improving its FOIA program. The AO had seen a 415% increase in the number of incoming FOIA requests compared to 2016 and the volume had overwhelmed the small staff that was designated to respond to such requests. The AO Centralization Pilot Project was designed to see if the FEAT could "deploy" to an office within EPA, assess the strengths and weaknesses of the office's current FOIA program, and build a consolidated cadre of employees who would be focused exclusively on FOIA and other information requests. The expectation was that by centralizing and prioritizing the responsibility for FOIA requests, the office would produce more timely responses with fewer errors that necessitated less resources.

After multiple lean events and prototype exercises, the FEAT and representatives from the AO Immediate Office (OEX), the Office of Public Affairs (OPA), the Office of Policy (OP) and the Office of Congressional and Intergovernmental Relations (OCIR) (collectively referred to as AO4) began to implement the AO FOIA Centralization Pilot Project on April 31, 2018. With the support of the Chief of Staff, the FEAT hired three new employees to support this effort, and AO4 offices recruited new information experts as well. Currently, the FEAT is coordinating the centralized FOIA efforts for the 1,453 FOIA requests pending with the AO4 offices (as of June 18, 2018).

Through the Pilot Project, the FEAT and the AO4 Offices have built a foundation for a dramatically improved FOIA program. The team painstakingly categorized 1,442 requests and assigned a project lead for each. There was no existing categorization scheme for the team to turn to, so as they reviewed the requests they developed a unique taxonomy for classifying all existing and incoming requests. They also began the practice of stamping each document processed as part of the pilot with a unique identifier so that every document can be tracked at all stages of the response process.

These behind the scenes efforts enabled two key advancements that generated tangible results for requestors. First, on June 6, 2018, every one of the 1,163 requestors with a request pending in the AO4 received an update on their specific request that included a tracking number, where the request currently stood in the que of pending requests, and an estimated response date. Many of those dates were months into the future, and so the letters offered the assistance of EPA's FOIA Public Liaison and the Office of Government Information Services, and committed to providing interim releases, if possible. That commitment is meaningful, because the second advancement is that release to one requestor now means release to all. The agency often receives multiple requests for the same information. Because the team has now identified every pending request as relating to one or more standardized subject areas, and because when the team reviews a document it also identifies that document as relating to one or more of the same standardized subject areas, the team can instantly identify all pending requests to which a document is responsive and send the production to each of those requestors as well. That innovation alone has incredible potential to reduce the time it takes the AO to respond to requests. While much more progress must be made, since implementation, the team has completed its response to 100 requests and provided interim responses to 341 additional requests.

EPA's FOIA program is far from perfect. The number of requests that are pending for more than the statutory or agreed upon time for responding has increased. As a result, EPA now faces over 70 lawsuits under FOIA – a 500% increase over the pre-2017 high. Ultimately, the head of an agency sets the tone and the commitment of EPA's senior leaders will be essential for the program to improve. The work of the FEAT and the AO4 Team, however, has laid a foundation from which EPA's FOIA program could be a model of what a FOIA program should be, not an example of what a FOIA program should not be. I invite you, other members of the Committee, and Committee staff to visit our offices to see first-

hand the effort that is being made and the work that has been done to put the agency on the cusp of that future. If you have further questions or would like to schedule a briefing, you may contact me at minoli.kevin@epa.gov or (202) 564-8064, or your staff may contact Neil Bigioni, Acting Director, National FOIA Office, at bigioni.neil@epa.gov or (202) 564-2281, or Kristien Knapp, Office of Congressional and Intergovernmental Relations at knapp.kristien@epa.gov or (202) 564-3277.

Sincerely,

Kevin S. Minoli

Principal Deputy General Counsel & Designated Agency Ethics Official

cc: The Honorable Trey Gowdy
Chairman, Committee on Oversight and Government Reform





### FEDERAL TRIANGLE

- You can find a map of the EPA buildings in the Federal Triangle area at: <a href="http://intranet.epa.gov/op/admin/maps/federaltriangle.html">http://intranet.epa.gov/op/admin/maps/federaltriangle.html</a>.
- In 2013, Ariel Rios North (ARN) and South (ARS) were renamed William Jefferson Clinton (WJC) North and South.
- OGC staff is located primarily on the 7th floor of WJC North.
- The General Counsel's Immediate Office (also known as "the Front Office") is on the 4th floor in the connecting wing between WJC North and South and in parts of WJC North.
- EPA also has offices in Crystal City, Virginia, commonly referred to as Potomac Yards. There is a shuttle bus that goes between the Headquarters complex and the Potomac Yards location throughout the day. The shuttle bus schedule can be found at: http://intranet.epa.gov/oaintran/pdfs/shuttlebus.pdf

Practice Tip
If you are locked out of your
office or your bay, you can call
WJC-N security to let you in
(202) 564-2205

### ACCESSING THE BUILDING

- Make sure you have a key to your office, the "bay" where your office is located, and the bay where your printer is located
  - Security often locks the bays at night, so you may need a key to your bay in addition to a key for your office if you come in early.
  - Doors can be unlocked or locked by flipping the button on the inside of the door, near the handle.
  - If you unlock a door with your key, but fail to flip the button on the inner door near the handle, the door will still automatically lock when you shut it.

#### After Hours Access

- After 6 pm, some of the entrances to WJC North that are open during the workday close.
- The main entrance to WJC North near the Federal Triangle metro remains open until approximately 8 pm.
- After 8 pm and on weekends, you will need to use the main entrance to WJC South to enter and exit the building.

#### Accessing Building Without Badge

- If you forget your badge, you need to go to the main entrance to WJC North near the Federal Triangle metro entrance.
- Once you go through security screening and provide the security guards with a photo ID, work phone number and office number, you will receive a paper temporary pass that will allow you to access the building for the day.

1

### YOUR CONTACT INFORMATION

Your mailing address (always include the mail code (i.e. 'MC'):

[Name]

U.S. Environmental Protection Agency Office of General Counsel (MC 2310A) 1200 Pennsylvania Avenue, N.W. Washington, DC 20460

#### Your address for personal/courier deliveries:

[Name]

U.S. Environmental Protection Agency Office of General Counsel 1200 Pennsylvania Avenue, N.W. William Jefferson Clinton Building - North Room [insert #] Washington, DC 20004

# OFFICE OF THE GENERAL COUNSEL

- Air and Radiation Law Office (ARLO)
- Alternative Dispute Resolution Law Office (ADRLO)
- Civil Rights and Finance Law Office (CRFLO)
- Cross-Cutting Issues Law Office (CCILO)
- General Law Office (GLO)
- Pesticides and Toxic Substances Law Office (PTSLO)
- Resource Management Office (RMO)
- Solid Waste & Emerg. Resp. Law Office (SWERLO)
- Water Law Office (WLO)
- Ethics Office
- FOIA Expert Assistance Team (FEAT)

### EPA OFFICES

#### Office of the Administrator

- Office of Children's Health Protection
- Office of Civil Rights
- Office of Congressional and Intergovernmental Relations
- Office of Executive Services
- Office of the Executive Secretariat
- Office of Homeland Security
- Office of Policy
- Office of Public Affairs
- Office of Public Engagement and Environmental Education
- Office of Small Business Programs
- Science Advisory Board

### $\hspace{0.5cm} \hspace{0.2cm} \hspace{0.2$

- Office of Pesticide Programs
- Office of Pollution Prevention and Toxics
- Office of Science Coordination and Policy

#### © Office of the Chief Financial Officer

- Office of Budget
- · Office of Planning, Analysis & Accountab.
- Office of Financial Management
- Office of Technology Solutions
- Office of Financial Services
- \* Office of Resource and Information Mgmt
- Center for Environmental Finance

#### Office of Administration and Resources Management

- · Environmental Appeals Board
- Office of Administrative Law Judges
- Office of Diversity, Advisory Committee Management and Outreach
- Office of Human Resources
- Office of Administration
- Office of Acquisition Management
- Office of Grants and Debarment
- OARM Research Triangle Park Office
- OARM Cincinnati Office

#### Office of Air and Radiation

- Office of Air Quality Planning and Stds
- Office of Atmospheric Programs
- Office of Transportation and Air Quality
- Office of Radiation and Indoor Air

#### Office of Administration and Resources <u>Management</u>

- Environmental Appeals Board
- Office of Administrative Law Judges
- Office of Diversity, Advisory Committee <u>Management and Outreach</u>
- Office of Human Resources
- Office of Administration
- Office of Acquisition Management
- Office of Grants and Debarment
- OARM Research Triangle Park Office
- OARM Cincinnati Office

#### Office of Air and Radiation

- Office of Air Quality Planning and Stds
- Office of Atmospheric Programs
- Office of Transportation and Air Quality
- Office of Radiation and Indoor Air

### EPA OFFICES

- Office of Inspector General
  - Office of Audit
  - \* Office of Program Evaluation
  - Office of Investigations
  - Office of Missions Systems
  - Counsel and Congressional and Public Affairs
- Office of International and Tribal Affairs
  - Office of Regional and Bilateral Affairs
  - Office of Global Affairs and Policy
  - Office of Management and International Services
  - American Indian Environmental Office
- Office of Research and Development
  - National Center for Computational Toxicology (NCCT)
  - National Center for Enviro. Assessment
  - National Center for Environmental Research
  - National Exposure Research Laboratory
  - <u>National Health and Environmental</u> <u>Effects Research Laboratory (NHEERL)</u>
  - National Homeland Security Research Ctr
  - National Risk Management Research Laboratory (NRMRL)
  - Office of the Science Advisor (OSA)
  - Office of Science Policy (OSP)

- Office of Solid Waste and Emergency Response
  - Office of Superfund Remediation and Technology Innovation
  - Office of Resource Conserv, and Recovery
  - Office of Underground Storage Tanks
  - Office of Brownfields and Land Revit.
  - Office of Emergency Management
  - Fed. Facilities Restoration & Reuse Office
- Office of Water
  - Immediate Office of the Assistant Administrator for Water
  - Office of Ground Water and Drinking Water
  - Office of Science and Technology
  - Office of Wastewater Management
  - Office of Wetlands, Oceans and Watersheds
- Office of Enforcement and Compliance Assurance
  - Office of Administration and Policy
  - Office of Civil Enforcement
  - Office of Criminal Enforcement, Forensics and Training
  - Office of Compliance
  - Office of Environmental Justice
  - Office of Federal Activities
  - \* Federal Facilities Enforcement Office
  - Office of Site Remediation Enforcement



### HUMAN RESOURCES & PERSONNEL ISSUES

#### **Personnel Actions**

- Career Ladder **Promotions/Promotions** 
  - Eligibility
  - Time to Submit Paperwork
  - © RMO/RTP-SSC Process and Effective Date
- Within Grade Increase
  - Eligibility
  - Process and Effective Date
- Detail Appointments/Reassignments/Retireme nt/Recruitments/Name Change
- Performance Agreements (PARS)
- Performance Awards

#### Points of Contact:

- Office Secretary
- Deborah Logan (RMO) 202.564.1753
- Phyllis Wingard (RMO) 202.564.1312

#### Time and Attendance

- People Plus
  - Submit Time and Attendance
    - Employees-2<sup>nd</sup> Wednesday of pay period
    - Time is approved on 2<sup>nd</sup> Friday of pay period
  - Correction cards
  - © Leave slips (see People Plus tips)

#### **Employee Express**

- © Earnings and Leave Statements
  - Always review for accuracy!
- © Change of Address, Tax Exemptions, Bank Allotments, Etc.

#### Practice Tin.

If you transferred from another Federal agency, log into Employee Express to verify that our Human Resources information (i.e., benefits coverage, eOPF, grade/step) transferred over to EPA's Human Resources

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## HUMAN RESOURCES & PERSONNEL ISSUES

#### Personnel Security

- EPASS Badge
  - New/Replacement Badge
  - badge is lost or stolen, it must be reported in person, as soon as possible, in the WJC East Building, Room R317. You may also report it by sending an email to <a href="mailto:Smartcard@epa.gov">Smartcard@epa.gov</a>. Please write "Lost/Stolen Badge" in the subject line.
- **EPASS Website:**

http://intranet.epa.gov/oa/smartcard/what.html

#### **Points of Contact:**

- 1) Deborah Logan (RMO) 202.564.1753
- 2) Phyllis Wingard (RMO) 202.564.1312

#### **Benefits**

- Thrift Savings Plan
  - Designation of Beneficiary Form—submitted directly to TSP: <a href="https://www.tsp.gov/index.html">https://www.tsp.gov/index.html</a>
- Federal Employee Group Life Insurance (FEGLI)
- Federal Benefits
  - o Health Benefits/Dental/Vision
  - ⋄ Flexible Spending
  - Open Season: Begins November of each year
- Employee Services provided by OGC Benefits Specialist in RTP-SSC
  - Tammy Baynor-919.541.4147
  - ALL benefit forms can be submitted to Deborah Logan, or emailed or faxed to Tammy Baynor
- National Leave Bank Program
  - Voluntary Leave Bank and Leave Transfer Program:
  - http://intranet.epa.gov/ohr/benefits/leavebank
  - ⇒ HQ Coordinator: Charlene Monroe-202.564.5622
- \* Transit subsidy
  - You need to enroll in this program to get benefits.
  - http://otaqintranet.epa.gov/index.php?opti on=com\_content&view=article&id=284&Ite mid=349

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### HR Systems

#### **Employment Verification**

- For Proof of Employment or Income
  All EPA employees must use the services
  of EPA contractor, "The Work Number"
  at https://www.theworknumber.com or
  1.800.367.5690
- Procedures for Requesting Employment Verification:

http://intranet.epa.gov/peopleplus/employees/pdfs/talx\_instructions.pdf

- EPA Employer Code: 13419
- The Work Number Client Service Center: Monday – Friday, 7:00 a.m. – 8:00 p.m.

## Electronic Official Personnel Folder (eOPF)

- o eOPF is an electronic version of the paper OPF and a system for accessing the electronic folder online.
- Data in your eOPF: SF-50s, benefit forms.
- Email notification to employee when documents are added to your eOPF.
- Requests for an ID or New Password go to the OPM website:

  <a href="https://eopf.nbc.gov/opm">https://eopf.nbc.gov/opm</a> or contact the Help Desk via email

  <a href="mailto:ateopf@telesishq.com">ateopf@telesishq.com</a> or phone

  1.866.275.8518. You will need to provide the following:
  - \* 1. Full Name
  - 2. Agency/Organization
  - 3. Contact information (phone and email)
- © EPA eOPF Toolkit:

http://intranet.epa.gov/ohr/benefits/eopf

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### WORK SCHEDULES

- Full-time EPA employees must have a regular work schedule (between 6 am and 6 pm), as well as a "duty station," i.e., your office building.
  - Note: OPM requires a ½ hr. lunch break that doesn't count as part of your work hours. Therefore, an "8-hour" day means a 8.5-hour day, insofar as your start and stop time.
- For full time positions, request a specific work schedule & discuss with your supervisor:
  - Fixed Schedules
    - 8 hours a day/5 days a week
  - Compressed Work Schedules (over a two-week pay period 10 work days)
    - 4/10: 10 hours a day/4 days a week (1 day off each week)
    - ∘ 5/4/9: 9 hours a day/8 days; 8 hours/1 day; and 1 day off (over the course of a per pay period).
      - This is the most common compressed work schedule in OGC.
      - The day off must be taken during the pay period. It cannot be carried forward.
  - Flexi-tour with Credit Hours (NTEU Only)

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## TELEWORK (AKA FLEXIPLACE)

- New employees are only eligible for regular telework (also referred to as "flexiplace") after a waiting period.
  - If interested, you should discuss telework as an option with your Director.
  - In order to participate in telework, you must have a telework agreement in place.
  - Telework arrangements are subject to the NTEU bargaining agreement.
    - NOTE: all OGC attorneys are part of the National Treasury Employees Union (NTEU) whether you decide to become a dues paying member or not.
- Episodic telework
  - Exactly what it sounds like (irregular or unplanned telework).
  - You should discuss requesting episodic telework with your Director.

Practice Tip:
You must
"register"
your
computer to
enable
remote
access to
EPA
computer
systems

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#### TIME & ATTENDANCE DATABASES

- "People Plus" is EPA's electronic time and attendance system.
  - Request Leave
  - Verify Time and Attendance
  - Training available at: http://intranet.epa.gov/peopleplus/.
- WebForms is another database of forms used by the agency.
  - \* WebForms can be used to access and process many forms electronically, e.g., episodic telework.
    - In some cases, you will use WebForms to access the forms, but still need to print and sign the form, e.g., moving your compressed day to a different day.

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## PEOPLE PLUS PROCESSING AND ENTERING TIME SCHEDULES

#### **Entering Time**

- If you have an Alternative Work Schedule (i.e., a compressed day) and you wish to change your schedule, please submit the requisite form to the Director and notify the Timekeeper as soon as you can, but no later than the **Second Monday**.
  - The Timekeeper will change your schedule, thus allowing you to enter your time in People Plus.
- Approved leave is automatically loaded onto your time card on the **Second Tuesday** of the pay period after 10 pm.
  - If your leave has not been approved by your supervisor as of 10 pm Tuesday, you will need to manually enter the leave into your time card.
  - IMPORTANT: If you "attest" and submit your time in People Plus **BEFORE** the **Second Tuesday** of the pay period, you will need to manually enter your leave it will only automatically load if you have not yet "attested".
  - Note If you are on a flexitour schedule, your time card will **not** automatically populate with your approved leave.
- Attest & Submit your time by the date specified by CCLILO's Timekeeper (usually mid-day on the <u>Second Wednesday</u>).
- Enter your time **in advance** if you know you will be out of the office during the second week of the pay period.

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## PEOPLE PLUS PROCESSING AND ENTERING TIME SCHEDULES (CON'T)

#### **Reconciliation and Corrections**

- The Timekeeper run a Reconciliation Report for the prior pay period on the first Wednesday of the pay period.
  - The Reconciliation Report allows the Timekeeper to identify missing leave slips or time card corrections that need to be made.

#### • Missing leave slips:

- The Timekeeper will ask you to submit leave slips for any absences that appear on your attested time card but for which a leave slip is missing.
- If you mistakenly reported leave on your time card (e.g., because you thought you would take the second Friday off but chose not to do so), please do a correction card.

#### Correction Cards:

- Sometimes you recognize on your own that you need to do a correction card (e.g., because you unexpectedly worked comp time on your second Friday compressed day). Other times, the Timekeeper will report a discrepancy to you.
- In either case:
  - o In People Plus, please go back to the pay period for which the correction is needed
  - Uncheck the Attest box and correct your time
  - Attest and submit again
  - IMPORTANT: Please take this action within the following window: no sooner than the First Thursday and no later than the Second Tuesday.

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## REQUESTING LEAVE IN PEOPLEPLUS

- Although you will formally request leave through PPL, all leave should be cleared through your Director first.
- Log into PeoplePlus from the OneEPA Homepage
- Click the following Links
  - Self Service Time Reporting "Report Time" Absence Request
- Requesting Leave for a Full Day
  - Start Date: Use calendar icon to select the relevant day or manually enter the date.
  - Accrual Class & Absence Type: Select the relevant type of leave from the drop-down menus.
  - The "End Date" box will appear. Use calendar icon to select the relevant day or manually enter the date.
  - Click the "Calculate End Date of Duration" button.
  - Click "Submit".

- Requesting Leave for a Partial Day
  - Start Date: Use calendar icon to select the relevant day or manually enter the date.
  - Accrual Class & Absence Type: Select the relevant type of leave from the drop-down menus.
  - The "End Date" box will appear. Use calendar icon to select relevant date or manually enter the date.
  - Partial Days: choose Start Day Only from the drop-down menu.
  - Start Day Hours: enter the number of hours of leave you are requesting (e.g., 1.75)
    - Tip: Do NOT enter any time in the "Duration" box.
    - s Tip: Unless you request 4 or 4.5 hours of leave (i.e., a "Half Day"), do not check the box entitled "Start Day is Half Day."
  - "Calculate End Date or Duration" Click this button. It will automatically populate the "Duration" box.
  - Tip: You might wonder why the data is the same in boxes for Start Day Hours and the Duration. This occurs only when you are taking leave for part of one day. You'll see the difference if you leave early one afternoon and come to work late the following morning. In that scenario (when your start and end dates are different), you'll see Duration report the sum of both dates' leave.
  - Request for Comments: type in the hours you intend to be absent from the office (e.g., 9 am to 11 am)
  - Click "Submit".
- Changing Your Leave Slip
  - If you submitted a leave request and you want to take the request back, you must notify the Timekeeper and supply the reason you wish to take back the leave slip.
    - The Timekeeper sometimes needs this information to send back the leave slip.

## CHANGING YOUR SCHEDULE (AKA HOW DO I CHANGE MY COMPRESSED DAY)

Practice Tip:
Print a payroll
calendar to keep
track of the pay
periods and
specifically
which week is
the first or
second of a pay
period

- There are times you may need to change your regular schedule.
- For example, if your regularly scheduled compressed day falls on the first Friday of a pay period, you may need to move it to another day (perhaps the second Friday of the pay period).
  - Again remember that you cannot "carry" a compressed day to the next pay period. It must be taken within one pay period.
- To change your compressed day, you need to let your Timekeeper know (to make the actual change in People Plus) and submit a CWS Adjustment Request to your Director.
  - Log into WebForms.
    - Find "EPA 108 Compressed Work Schedule Adjustment Request".
  - Open the form and fill it out.
  - \* Under the drop-down "Select An Option menu, first "save" then "complete." You can also email the form to yourself see practice tip below.
  - Print the form, sign it, and submit it to your Director.
  - Because you need to wait for your Timekeeper to change your schedule in People Plus before you can enter your time, it is a good practice to also let your Timekeeper know that you are requesting a schedule change.
    - □ In other words, don't wait for the Director's signature if there's a problem, your Director will let you know.
    - Practice Tip: if you emailed the form to yourself, you can forward it to your Timekeeper with an explanatory note.

Practice
Tap:
If you keep hands to make the cart arise submit the handwritten form the passing Wooden as

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## TIME ADMINISTRATION INFORMATION

Why is this important? In order to get paid, your time card must be approved.

What is Time Administration? "Time Admin" sets the time and attendance for manager approval. It runs on different days, so managers have flexibility for approving time.

- Although the Principal Deputy General Counsel approves leave slips and time cards for FEAT employees, the actual request for leave/schedule change/absence from office should be sent to your Director.
- Time Administration "runs" as follows:
  - \* First week of the pay period: "Time Admin" runs on Thursday and Friday at 10 pm.
  - Second week of the pay period: "Time Admin" runs: (1) Monday through Thursday at 10 pm; and (2) 1 pm on Thursday and Friday. See attached chart.
- Time Admin does **NOT** run the second Friday of the pay period at 10 pm.
  - Why does this matter? If an employee makes a change to his or her time card on the second Friday of the pay period at 2 pm, and a supervisor goes to approve time at 4 pm that day, the supervisor would not see the employee's time card because Time Admin does not run after 1 pm on the Second Friday of the pay period. By contrast, if the supervisor routinely approves time at 4 pm on the second Friday of the pay period and the employee changed his/her timecard at 10 am on that day, the supervisor would see the revised timecard at 4 pm and could approve the card at that time, because Time Admin would have run at 1 pm -- thereby making the timecard available for approval.
- In OGC, time cards are approved on the second Friday of the pay period. If an error is identified on Friday morning, you can correct that error **prior to 1 pm**, and the time card can still be approved on Friday afternoon.
- Leave balances are updated on the <u>first Thursday of the pay period</u> to reflect leave taken.
  - Here's an example of how it works. Assume an employee has 240 hours of annual leave. Assume that employee takes 8 hours of annual leave during the relevant pay period. If the employee checks his or her leave balance prior to the first Thursday of the pay period, he or she will see 240 hours as the leave balance. However, if the employee checks his or her leave balance on the first Friday of the pay period (or thereafter), he or she will see 232 hours.
  - Leave balances are reflected on Earnings and Leave Statements available through Employee Express.

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## PEOPLE PLUS PROCESSING TIME TABLE

		What does the System do Automotically?
DO NOT TOUCH	DO NOT TOUCH	
DO NOT TOUCH	DO NOT TOUCH	
Run Reconciliation Report for Last Pay Period	When necessary, ask Timekeeper to update your schedule to reflect changes in compressed or 8-hour days	
Work with Staff to address any items on reconciliation report	Employee can submit time sheet corrections for the prior pay period (or any other previous pay period within a 52-week period)	Time Admin runs at 10 pm
Work with Staff to address any items on reconciliation report	Employee Corrections (see above)	Time Admin runs at 10 pm
Work with Staff to address any items on reconciliation report	Employee Corrections (see above)	Time Admin runs at 10 pm –
Work with Staff to address any items on reconciliation report	Employee Corrections (see above)	Time Admin runs at 10:00 pm
nems on reconcination report		If you have not yet entered and "attested" you time, People Plus AUTOMATICALLY populates with any leave slip <b>approved</b> by your supervisor prior to 10 pm.
		Any leave not approved by your supervisor as of 10 pm must be manually entered onto the time card. (If you are on Flexitour, timecard will not populate automatically.
	Enter Time before 5 pm (or an earlier time if specified by the Timekeeper).	Time Admin runs at 10:00 pm
In morning: Review time cards/leave slips; ask staff to correct any issues	Current Leave Balances should be correct and reflect leave taken during this pay period	Time Admin runs at 1 pm and 10:00 pm
Approve time after 1 pm	If the Timekeeper asks you to make a time card correction, any correction must be done NO LATER THAN 12:30 pm	
	DO NOT TOUCH AFTER 12:30 PM	
In morning: Review time cards/leave slips; ask staff to correct any issues	DO NOT TOUCH unless requested by the Director or Timekeeper	Time Admin ONLY runs at 1:00 pm.

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Approve time after 1 pm

## COMPENSATORY TIME ("COMP TIME")

- If you need "comp time" for working hours that exceed your regular 40-hour a week schedule, you must seek approval from you Director **BEFORE** you work in excess of you regular schedule.
- You can email your request to your Director with a description of the work that needs to be completed and an estimate of the how much time you need.
  - You cannot work more than what you request, but you can work fewer hours. Be reasonable, but generous in your estimate of how much time you need, i.e., it's okay to overestimate (within reason).
  - Please "cc" your assistant and your Timekeeper.
- \* "Reply" to the Director's email approving your request (so all the information is in one email chain) to confirm the hours actually worked.
  - If you requested comp time work the entire pay period (i.e., 8 hrs for the pay period), you may send an email summarizing all your hours, by date.
  - Send your final summary to both your Director and your Timekeeper by close of business on the first Monday of the following pay period.
  - You may need to do a correction card the following pay period for the hours earned at the end of the prior pay period.
- Enter your comp hours worked when you complete and submit your time card in People Plus.

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#### COMPENSATORY TIME

- There is a limit to the number of comp hours you can accrue each pay period and a limit to the number of total comp hours you can carry.
  - (See next slides for maximum comp time limits)
- Generally, you cannot carry more than 60 hours of comp time; in rare cases, exceptions can be made for an employee to carry up to 80 hours of comp time but that must be approved by the Principal Deputy General Counsel ahead of time.
  - You must use comp hours within one calendar year of earning them.
- There is also a different Comp Time Category for Travel Comp Time Off ("TCTO"). See that policy at:

  <a href="http://intranet.epa.gov/ohr/policy/payleave/tcto\_policy\_procedure.pdf">http://intranet.epa.gov/ohr/policy/payleave/tcto\_policy\_procedure.pdf</a>
- Travel Comp Time MUST be approved in advance of any travel.

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# Maximum Comp time Limits Per Pay Period

Grade/Step	Maximum Comp Time
11 (all)	66*
12/1 through 12/5	66*
12/6	62*
12/7	58
12/8	55
12/9	51
12/10	48

\*See prior slide on carrying more than 60 hours of comp time

Guade/Step	Maximum
G13.43.53.63.63	Comp
	Time
13/1	60
13/2	55
13/3	51
13/4	47
13/5	43
13/6	40
13/7	36
13/8	33
13/9	30
13/10	27

# Maximum Comp time Limits Per Pay Period

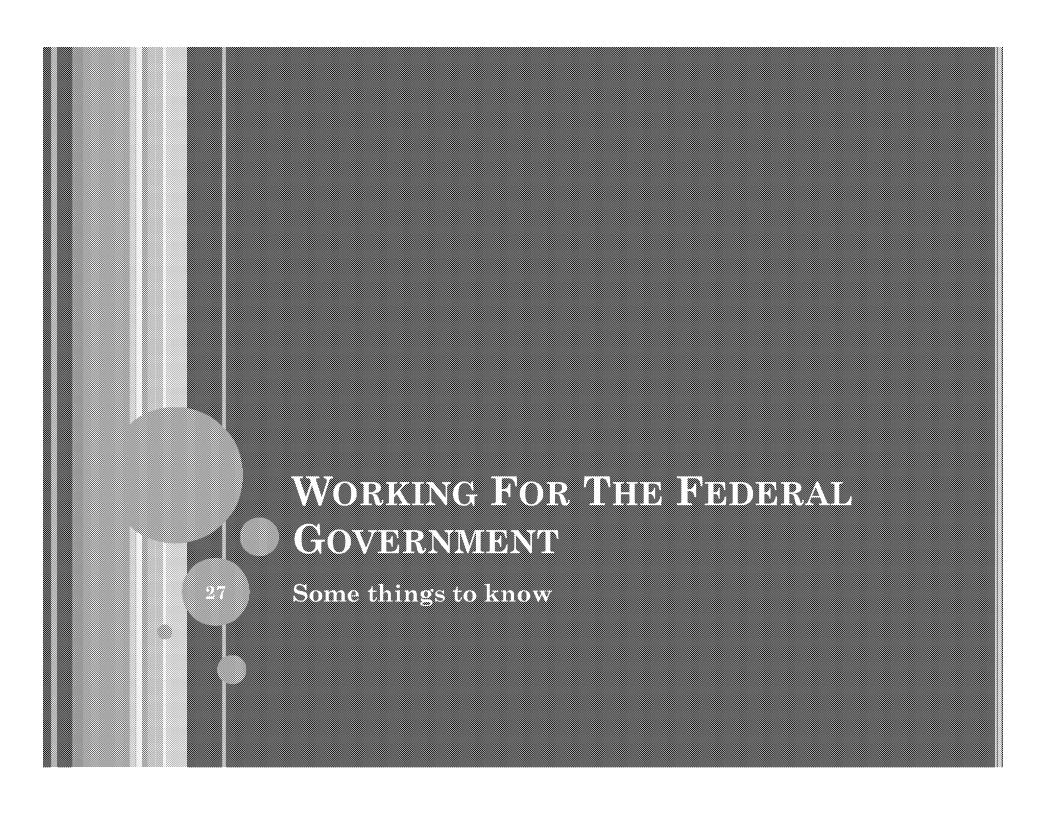
Grade/Step	Maximum Comp Time
14/1	38
14/2	34
14/3	31
14/4	28
14/5	24
14/6	21
14/7	19
14/8	16
14/9	13
14/10	11

Grade/Step	Maximum Comp Time
15/1	21
15/2	17
15/3	14
15/4	11
15/5	9
15/6	6
15/7	4
15/8	2
15/9 & 15/10	0

#### EMPLOYEE EXPRESS

- Employee Express is the agency's payroll system.
- This is where you will keep track of your Earnings and Leave Statements.
- This is also the system for electing:
  - Thrift Savings Plan (government equivalent of 401(k))
    - http://intranet.epa.gov/ohr/benefits/retire/tsp.htm
  - Savings bonds
  - Federal Employee Health Benefits
  - Federal Tax elections
  - Direct Deposit
  - Voluntary allotments
  - Address changes
- Familiarize yourself with Employee Express.
  - http://intranet.epa.gov/fmdvally/forms/ee-memo.htm
- If you find that some information is missing or incorrect, contact your Director and Debbie Logan immediately.

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### THINGS TO KNOW

Practice Tip:
Get in the habit of using
EZ Records for every
work-related email you
send.

#### Federal Records

- Generally speaking, the Federal Records Act mandates that the Federal Government preserve federal records (for different time periods, depending on the type of record).
- As a practical matter, every work-related email you write is a federal record.
- The good news saving emails as records has been made very easy.
- Training for using EPA's email records management systems is at: <a href="http://intranet.epa.gov/ecms/training/">http://intranet.epa.gov/ecms/training/</a>

#### • Freedom Of Information Act (FOIA)

Computer searches may pull your emails without your knowing it.

#### Texting

Work-related texts are also federal records and must be preserved.

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## PERFORMANCE MANAGEMENT SYSTEM

- EPA's performance management system is the Performance Appraisal and Recognition System (PARS).
- The objective of the PARS is to communicate organizational goals and objectives, promote accountability for achieving those goals, assess performance using appropriate measures, and improve individual and organizational performance.
- A PARS plan will be established within 30 calendar days for all new employees.

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## SUMMARY RATING LEVELS

- The agency has received approval from OPM to use a five level summary pattern
- <u>Unacceptable</u>: This level signifies the performance of the employee consistently fails to meet the established performance standards in one or more critical elements of the employee's position. When performance is rated at this level, a performance Improvement Plan (PIP) must be implemented to help the employee improve his/her performance to "Fully Successful."
- Minimally Satisfactory: This level signifies that there is a performance-related problem(s) although the performance has not reached "Unacceptable" in any Critical Element. The employee demonstrates limited ability in producing work of acceptable volume and/or quality within established timeframes; or exhibits limited sense of personal responsibility and accountability in work assignments; or experiences difficulty in addressing new or unusual work situations under normal pressure; or requires frequent guidance and assistance from supervisor or others. When performance is rated at this level, informal assistance in the form of a Performance Assistance Plan (PAP) must be provided to the employee to help improve his/her performance to "Fully Successful."
- <u>Fully Successful</u>: This level signifies the employee's performance results achieved are those that can be reasonably expected of any employee on the job in order to fully and adequately achieve assigned responsibilities.
- Exceeds Expectations: This level signifies that the results achieved are clearly beyond what could be reasonably expected for Fully Successful performance.
- Outstanding: This level is reserved for the truly exemplary employee who demonstrates the highest degree of achievement in his/her area(s) of work. This employee consistently proposes new, creative approaches/practical ideas that are accepted by fellow workers and incorporated into day-to-day work operations to improve efficiency/effectiveness of the work. Coworkers are motivated and energized by employee's actions and the employee is often sought for advice concerning complex, controversial, and difficult issues prior to implementation. Employee is consistently proactive, demonstrates initiative, and uses exceptional judgment. Employee understands the political realities of situations, keeps supervisor and/or Team Leader informed of issues and problems and uses discretion in keeping sensitive matters confidential. Employee most often resolves problems independently and effectively eliminates problems from happening without supervisory intervention or assistance. Employee makes significant contributions to the mission and priorities of the unit, office, region and constituencies on a regular basis.

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## PERFORMANCE EVALUATIONS

- The appraisal period for PARS is one year. The rating cycle runs on a fiscal year schedule (October 1 of current year through September 30 of the next year).
- Ratings of record are generally issued within 30 calendar days from the end of an appraisal period, provided you are a permanent full-time or part-time employee and under established performance standards for at least 90 calendar days.
- A formal mid-year review is conducted mid-way in the performance cycle with your Director.
- Although you will receive feedback on your performance during this mid-year review, you will not receive a performance rating at that time.

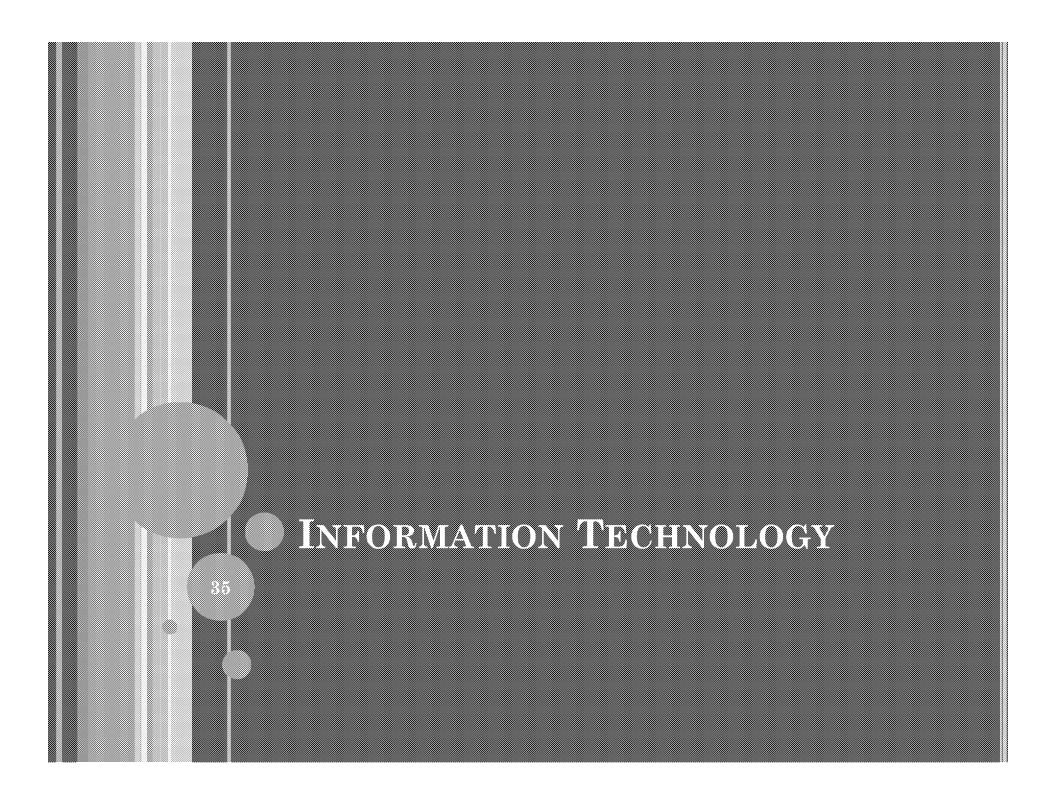
2.2



## Mandatory Training Requirements

- All newly appointed agency employees must complete the following courses within their first 90 days of employment:
  - EJ 101 Introduction to Environmental Justice
  - Ethics awareness
  - Environmental Management Systems (EMS)
  - <u>Information Security Awareness Training</u> (Available now, due June 30)
  - No Fear Act
  - Records Management
  - U.S. Constitution
  - Working Effectively with Tribal Governments
  - COOP (Continuity of Operations Awareness) Training
- Login to <u>EPA e-learning</u>. All courses are located under the "Catalog" tab, "EPA Training" folder.

Practice Tip
Each office has a
braining budget, so it
there is training you
are interested in (DC
Bar ABA skills
development, etc.) ask
your Director.



### IT SUPPORT

- EZ Tech is contracted to provide and coordinate all IT end user support and services for Headquarters Program Offices.
- EZ Tech has a number of helpful Fact Sheets and resources (such as FAQ's) available at <u>EZ Tech Fact Sheets</u>.
- Another helpful resource is the OGC-employee Technology Self-Help Resource Guide.
  - Contact Vicky Blackmond for the most recent edition (see next page).
- For almost any computer problem, the EPA call center is a the place to start.
  - Email <u>EZTech@epa.gov</u> or
  - Call the EPA call center number at 866.411.4372.
    - © EZTech support is option number 3 on the call center menu.
- In the event EZTech is unable to resolve your issue, email "OGC IT Team" from Outlook.

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## RMO IT TECHNOLOGY TEAM



- Vicky Blackmond (Acting Team Lead/IMO) (202) 564-1389 or blackmond.victoria@epa.gov or WJC North, Rm. 4312A
- Antonio Haskins (System Administrator) (202) 564-2433 or <a href="mailto:haskins.antonio@epa.gov">haskins.antonio@epa.gov</a> or WJC North, Rm. 7320C
- Mike Murphy (Application Developer) (202) 564-1568 or <u>murphy.michaelp@epa.gov</u> or WJC North, Rm. 4312D
- Nishtar Saleem (System Engineer/ISO) (202) 564-3913 or saleem.nishtar@epa.gov or WJC North, Rm. 4312C

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## COMPUTER & VOICEMAIL ACCESS

#### Voicemail Access

- You should receive an email with a temporary voicemail password when you arrive.
- To check your voicemail, press "Phone/Exit" in the center on the left side of your phone. Then press "Page Right." Press "Voice Mail," the third option on the right side of the screen.
- After entering your temporary passcode, you will be asked to create a new passcode. If you want to change your voicemail greeting, press 4 for personal configuration from the main voicemail menu.

#### $\circ$ Remote Access

- The direct link to remote access information is: http://workplace.epa.gov/remoteaccess.html.
- You need to register initially from an EPA computer on the EPA network.
- Check FAQs for specific system requirements if you try remote access from a personal computer off the EPA network.
- EPA offers a Telework Remote Telephone Service.
  - This allows you to use an alternate phone number the same as your work phone (simultaneous ring, caller id, etc.).
  - To register for this service (and more on what it provides and how to use it) see:
    - http://intranet.epa.gov/phoneservices/docs/HW TVS User Guide.pdf

Practice
Tip:
We
recommend
completing
this within
your first
week

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# HQ PERSONAL AUDIO CONFERENCING SERVICE

- The HQ Personal Audio Conferencing Service for 5 or fewer participants:
  - Signing up is easy.
    - Employees just need to visit the <u>Voice Services Website</u>, complete a request form, and hit "Submit". Employees can also sign up by contacting EZ Tech directly at 1 (866) 411-4EPA (4372) then pressing Option 3 for the EZ Tech Service Desk or <u>EZTech@epa.gov</u>.
  - You will then receive an email from the EPA Telecom Team entitled, "Welcome to HQ Personal Audio Conferencing Service".
    - o This email will include a:
    - personalized Seven-Digit Conference Extension,
    - o Leader Code, and
    - o Participant Code.
  - To use this service, Leaders and Participants will call the HQ Personal Audio Conferencing Service Phone number at 564-1700 (while in the office) or 1 (85 564-1700 (toll free, while out of the office), enter the personalized Seven-Digit Extension Number, then either the Leader Code or Participant Code. Employees will also hear voice prompts helping them to join the conference call.
  - If you need assistance with your registration or have additional questions, please contact EZ Tech at <u>EZTech@epa.gov</u> or 1 (866) 411-4EPA (4372) Press Option 3 for the EZ Tech Service Desk.
- If you need to host conference calls for more than five participants or require additional features such as recording or operator assistance, ask your Director about using a Reservationless-Plus account.

Practice Tip:
We
recommend
signing up for
this service—
even if you
don't think
you will need
to set up
conference
calls

3.9

### Systems and Databases

#### OneEPA

- \* EPA's intranet home page.
- EPA locator in the upper right corner will allow you to locate any employee/contractor within the Agency.

#### Lotus Notes

- \* The Agency transitioned email from Lotus Notes to Outlook in February 2013.
- \* However, OGC has active databases in Lotus Notes, such as the OGC e-Library, and some practice groups have practice-specific databases in Lotus Notes.
- When your computer is set up, the technician should set up Lotus Notes for you.
- Lotus Notes passwords expire every 90 days, and are <u>not</u> updated when you update your LAN password.
  - If you get locked out of Lotus Notes, contact EZTech.

#### Adobe Connect

- Occasionally, meetings may occur via Adobe Connect.
- \* To access Adobe Connect, click "Web Conferencing" on the right panel entitled "Quick Links" on EPA's OneEPA Workplace homepage.
- Your username is your EPA email address (<a href="mailto:lastname@epa.gov">lastname@epa.gov</a>). The first time you log in, use "Forgot your password," and the system will send a temporary password to your EPA email address. You can use the temporary password to log in, and then create a permanent password.

#### Concur

- EPA's electronic travel system.
- Your username will likely be your email address.
  - Please create a password and traveler profile.
  - Ask your Director for assistance.

#### Skillport

\* EPA's electronic training system; upon your arrival at the Agency, you should have already received login information to access Skillport training modules. If not, notify Carol Ann.

Emicine Tup Thomas on Entre Villes processed When you change you LAN

10

# OGC'S CORRESPONDENCE TRACKING SYSTEM ("CTS")

- CTS is an automated system to use when you need to have the OGC Front Office review and/or sign a document.
- The user submits a "package" with explanations and attachments and selects reviewers.
  - If the deadlines are particularly firm, please note that to ensure the document is flagged for priority consideration.
  - Please include only essential reviewers on the recipient list (in addition to your Director).
  - If you need a signature, the signatory should be the last person in your chain.

## HOW TO SUBMIT A DOCUMENT FOR CTS REVIEW

- Ensure that your Law Office's management has already completed its review of the document before you submit the document to the Front Office.
  - The Director should be included in the CTS review chain.
  - Open Lotus Notes & go to the OGC Dashboard.
  - Click the button labeled "Correspondence" in the left column.
  - Click: "Create new CTS record."
    - Enter Law Office and your name; also choose a deadline that allows adequate time for review and incorporation of changes (if needed).
    - Choose the action you are requesting.
    - o Create a review chain under "Routed to."

## CREATING A SIGNATURE BLOCK FOR YOUR EMAILS IN OUTLOOK

- Please ensure that your email signature line contains your mailing address and phone number. Follow these steps to set up your signature block:
  - Open the Mail section of Outlook.
  - Go to File.
  - Go to Options (on the blue bar to the left).
  - Go to Mail (top item on the left).
  - Click on the Signatures button.
  - Type your signature in the space provided. At a minimum, please include your office affiliation & phone number.
  - Click on the appropriate Default Signature boxes (so that your signature block appears in both your incoming and outgoing emails).
  - Click OK.

## OUT OF OFFICE PROCEDURES

- Before you will be out of the office:
  - Confirm your absence and discuss any urgent work matters with your Assistant.
    - Designate a "back up" colleague, if appropriate, before your departure.
  - Change your voicemail to reflect your absence and include the "back up" person's name and phone number, if asked to do so by your Assistant.
  - Set your "Out of Office" email to reflect your absence and include the "back up" person's name and phone number.
    - Do do this in Outlook, go to: Files -> Automatic Replies (Out of Office)



#### COPIERS AND PRINTERS

- Check with your Assistant General Counsel for the location of the closet printer to your work area.
- Printers
  - In the event that the copier nearest you is working, there are Multi-Function Printers (MFP) at each of the following locations:
    - o ARN 7340
    - ARN 7353
    - o ARN 7319
    - o ARN 7507
    - o ARN 7523
    - o ARN 7449
    - o ARN 7409
    - ARN 7013
    - a ARN 7402
    - ARN 7426SS

#### Printer Repairs

- When Multi-Function Printers (MFPs) and/or stand-alone copiers and scanners are down, who to call for help depends on who owns the equipment. EZ Tech MFPs have a CSC sticker on them and the copiers and scanners owned by OGC are marked accordingly.
  - The MFPs which serve several purposes (copy/scan/print/email) are networked and are supported by EZ Tech (repairs and toner replacements).
  - $\circ$  For OGC-owned copiers, contact Shirley Blair or Dora Russell (repairs and toner replacements).

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## ADMINISTRATIVE ASSISTANCE

- Conference Room Reservations
  - You can book them yourself via the scheduling assistant button in the Outlook calendar.
    - There are EPA-wide conference rooms that can be booked electronically if the OGC conference rooms are not available. (For OGC Conference Rooms, See next slide).
- Office Supplies
  - The supply closet for the FEAT is located in 4407H.
  - \* Contact to Monique Patrick for special requests (significant expenditures should be cleared with your Director first).
  - Contact our Secretary to order business cards.
- Outgoing Mail
  - There is an outgoing mail box in 7526 (as well as other bays that may be closer to you).
  - \* In the event that you miss the mail pickup, you can drop mail off directly to the Mail Room.
  - Remember to put your mail code and last name on the outside of the envelope.
    - You do not need to affix a stamp if the mail is EPA business.
- Overnight Mail
  - For assistance with overnight mail, contact our Secretary.
  - Cut off time: 5:45pm.
- Mail room location: Room 1309 WJC East.
- Paper Shredding: Room 7447 WJC North.

# OGC CONFERENCE ROOMS IN THE WJC NORTH BUILDING:

Conference Rooms open for anyone to reserve:

- 7346
- 7428
- 7500
- 4045: General Counsel's Conference Room— (restricted access)
  - \* For reservations, contact: Monique Patrick, Gail R. Jones, or Carla Veney.
- 4304: RMO's Conference Room (restricted access)
  - For reservations, contact: Valerie Toye or Art Ovalle.
- © 6013 (restricted access)
  - For reservations, contact ADRLO.

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# WHERE TO EAT

### Pantries

- There are two pantries on every floor. On the seventh floor, the pantries are located at rooms 7115 and 7447.
- Each pantry contains refrigerators, microwaves, filtered water coolers, a sink, tables and chairs.

## Snack Bar

- Located on the 7<sup>th</sup> Floor between North and South buildings
- Cash only!

## Ronald Reagan Building

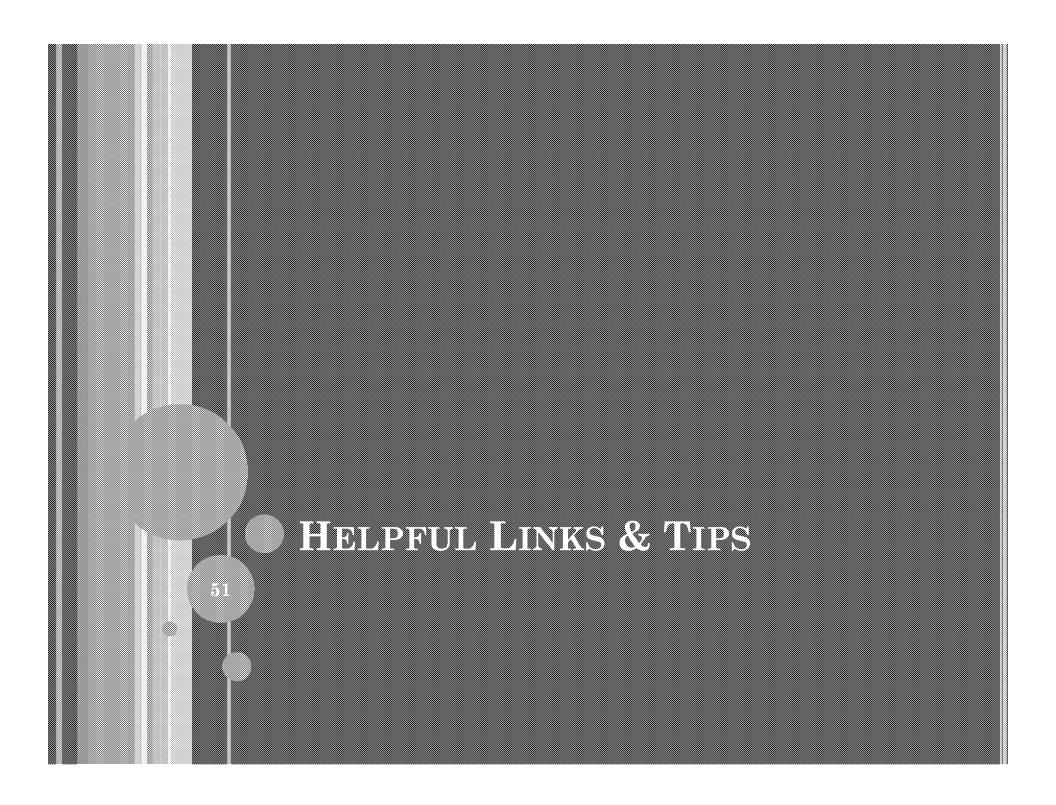
- The Food Court has a collection of diverse eateries and seating for over 1,000.
- Just past the food court is the tunnel to the Department of Commerce's cafeteria.

19

## MISCELLANEOUS INFORMATION:

- During the summer months, there is an outdoor Farmer's Market on Fridays from 11am to 2pm.
- There is also an informal bakers group that brings mouth-watering treats to share (usually accompanied by an all-users email announcement).
- © EPA has its very own softball team; contact Dan Schramm for more information.
- There are filtered water machines available in each of the pantries.

50



Env	vironmental Protection Agency	0	OGC Law Library	
٥	Our Mission and What We Do	٥	http://intranet.epa.gov/ogc/library.htm	
٥	http://www2.epa.gov/aboutepa/our-mission-and-what-we-do	೦		
٥		0	Ethics Program	
٥	EPA History	0	http://intranet.epa.gov/ogc/ethics.htm	
٥	http://www2.epa.gov/aboutepa/epa-history			
٥		<u>On</u>	e EPA Workplace	
0	EPA Organization Chart	0	One EPA Workplace	
٥	http://www2.epa.gov/aboutepa/epa-organization-chart	೦	http://intranet.epa.gov/	
٥		0		
٥	Mailing Addresses and Phone Numbers	0	WebForms	
٥			http://intranet.epa.gov/webforms/	
	numbers	0		
0	Staff Directory	೦	PeoplePlus	
0	http://cfpub.epa.gov/locator/index.cfm	٥	https://peopleplus.epa.gov/psp/ots89prd/?cmd=login&languageCd= ENG&	
٥		୍		
	Laws & Regulations	0	Employee Express	
0	http://www2.epa.gov/laws-regulations	0	https://www.employeeexpress.gov/DefaultLogin.aspx	
٥	Terms & Acronyms	$\circ$		
0	http://ofmpub.epa.gov/sor_internet/registry/termreg/searchandretri	ं	EPA eLearning (Skillport)	
Ý	evel	0	https://epa.skillport.com/skillportfe/login.action	
	termsandacronyms/search.do			
O EDA		0	Remote Workplace	
	A Office of General Counsel OGC Home	೦	https://remeteworkplace.epa.gov/dana- na/auth/url_default/welcome.cgi	
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٥	mep.//meranes.epa.gov/ogc/	0	GovTrip	
0		0	https://govtrip.com/govtrip/site/index.jsp	
0		0		
0	ntep.//matanet.epa.gov/ogc/memos.mm	0	EZTech 5,2	
	Law Links	0	http://intranet.epa.gov/eztech/	1
0		0		

1:19-CV-05190 2.1.2022 ED\_003046\_00018414-00052

0

Administrative Policies, Procedures, and Guidance  http://intranet.epa.gov/ohr/rmpolicy/index.htm  Delegations of Authority  http://intranet.epa.gov/ohr/rmpolicy/ads/delegat.htm  HeinOnline  http://intranet.epa.gov/ohr/rmpolicy/ads/delegat.htm  Agency Manuals  Agency Manuals  HeinOnline  http://intranet.epa.gov/ohr/rmpolicy/ads/transmanuals.htm  Hitp://intranet.epa.gov/ohr/rmpolicy/ads/transmanuals.htm  EPA Orders  http://intranet.epa.gov/ohr/rmpolicy/ads/transorders.htm  Epa Gov/ohr/rmpolicy/ads/transorders.htm  Employee Services & Benefits  http://intranet.epa.gov/ohr/rmpolicy/ads/transorders.htm  Leadership Development Institute  Leadership Development Institute  Leadership Development Institute
http://intranet.epa.gov/ohr/rmpolicy/index.htm  Delegations of Authority http://intranet.epa.gov/ohr/rmpolicy/ads/delegat.htm  Agency Manuals http://intranet.epa.gov/ohr/rmpolicy/ads/transmanuals.htm  EPA Orders http://intranet.epa.gov/ohr/rmpolicy/ads/transorders.htm  Employee Services & Benefits http://intranet.epa.gov/ohr/benefits/index.htm  http://intranet.epa.gov/ohr/benefits/index.htm  http://intranet.epa.gov/ohr/benefits/index.htm  http://intranet.epa.gov/ohr/benefits/index.htm  http://intranet.epa.gov/ohr/benefits/index.htm  http://intranet.epa.gov/ohr/benefits/index.htm  http://intranet.epa.gov/ohr/benefits/index.htm  http://intranet.epa.gov/ohr/benefits/index.htm  http://intranet.epa.gov/ohr/benefits/index.htm  http://intranet.epa.gov/ohr/benefits/index.htm
Delegations of Authority  http://intranet.epa.gov/ohr/rmpolicy/ads/delegat.htm  Agency Manuals  http://intranet.epa.gov/ohr/rmpolicy/ads/transmanuals.htm  http://intranet.epa.gov/ohr/rmpolicy/ads/transmanuals.htm  EPA Orders  http://intranet.epa.gov/ohr/rmpolicy/ads/transorders.htm  http://intranet.epa.gov/ohr/rmpolicy/ads/transorders.htm  Employee Services & Benefits  http://intranet.epa.gov/ohr/benefits/index.htm  http://www.spe.gov/fdsvs/
http://intranet.epa.gov/ohr/rmpolicy/ads/delegat.htm  Agency Manuals  Agency Manuals  http://intranet.epa.gov/ohr/rmpolicy/ads/transmanuals.htm  EPA Orders  http://intranet.epa.gov/ohr/rmpolicy/ads/transorders.htm  http://intranet.epa.gov/ohr/rmpolicy/ads/transorders.htm  Employee Services & Benefits  http://intranet.epa.gov/ohr/benefits/index.htm  http://intranet.epa.gov/ohr/benefits/index.htm  http://intranet.epa.gov/ohr/benefits/index.htm  http://www.gpo.gov/fdsvs/
Agency Manuals Agency Manuals  http://intranet.epa.gov/ohr/rmpolicy/ads/transmanuals.htm  EPA Orders  http://intranet.epa.gov/ohr/rmpolicy/ads/transorders.htm  http://intranet.epa.gov/ohr/rmpolicy/ads/transorders.htm  Employee Services & Benefits  http://intranet.epa.gov/ohr/benefits/index.htm  http://intranet.epa.gov/ohr/benefits/index.htm  http://intranet.epa.gov/ohr/benefits/index.htm  http://intranet.epa.gov/ohr/benefits/index.htm  http://intranet.epa.gov/ohr/benefits/index.htm  http://www.gpo.gov/fdsvs/
Agency Manuals  http://intranet.epa.gov/ohr/rmpolicy/ads/transmanuals.htm  EPA Orders  http://intranet.epa.gov/ohr/rmpolicy/ads/transorders.htm  http://intranet.epa.gov/ohr/rmpolicy/ads/transorders.htm  http://www.regulations.gov/#!home  Employee Services & Benefits  http://intranet.epa.gov/ohr/benefits/index.htm  http://www.goc.gov/fdsvs/
http://intranet.epa.gov/ohr/rmpolicy/ads/transmanuals.htm  EPA Orders  http://intranet.epa.gov/ohr/rmpolicy/ads/transorders.htm  http://www.regulations.gov/#!home  Employee Services & Benefits  http://intranet.epa.gov/ohr/benefits/index.htm  http://intranet.epa.gov/ohr/benefits/index.htm  http://www.gpo.gov/fdsvs/
○       EPA Orders       ○       Regulations.gov         ○       http://intranet.epa.gov/ohr/rmpolicy/ads/transorders.htm       ○       http://www.regulations.gov/#/home         ○       Employee Services & Benefits       ○       FDsys – Federal Digital System         ○       http://intranet.epa.gov/ohr/benefits/index.htm       ○       http://www.gpc.gov/fdsvs/         ○       ○       O
○ EPA Orders       ○ Regulations.gov         ○ http://intranet.epa.gov/ohr/rmpolicy/ads/transorders.htm       ○ http://www.regulations.gov/#/home         ○ Employee Services & Benefits       ○ FDsys – Federal Digital System         ○ http://intranet.epa.gov/ohr/benefits/index.htm       ○ http://www.spc.gov/fdsvs/         ○ true       ○ http://www.spc.gov/fdsvs/
http://intranet.epa.gov/ohr/rmpolicy/ads/transorders.htm  Employee Services & Benefits  http://intranet.epa.gov/ohr/benefits/index.htm  http://www.regulations.gov/#?home  FDsys - Federal Digital System  http://www.gpo.gov/fdsvs/
◇       Employee Services & Benefits       ◇       FDsys – Federal Digital System         ◇       http://intranet.epa.gov/ohr/benefits/index.htm       ◇       http://www.gpc.gov/fdsvs/         ◇       ◇
<ul> <li>Employee Services &amp; Benefits</li> <li>http://intranet.epa.gov/ohr/benefits/index.htm</li> <li>http://www.gpe.gov/fdsvs/</li> </ul>
♦ <a href="http://intranet.epa.gov/ohr/benefits/index.htm">http://www.gpc.gov/fdsvs/</a> ♦ <a href="http://www.gpc.gov/fdsvs/">http://www.gpc.gov/fdsvs/</a>
○ Leadership Development Institute
o http://intranet.epa.gov/ohr/hrtrsining/index.htm o http://www.law.cornell.edu/
$\diamond$
© Executive Agencies © FOIA and Records
☼ Department of Justice (DOJ) ☼ EPA FOIA Policy and Guidance
o http://www.justice.gov/ o http://www.epa.gov/fola/reference.html
ODJ Environment and Natural Resources Division (ENRD)  DOJ Guide to the FOIA
○ http://www.justice.gov/oip/fois-guide.html
♦ Office of Management and Budget (OMB) ♦ EPA Records Policy & Guidance
o http://www.whitehouse.gov/omb o http://www.epa.gov/records/policy/index.htm
Government Printing Office (GPO)  Other Useful Links  Grant Printing Office (GPO)
○ http://www.gpo.gov/ ○ Snow & Dismissal Procedures – Current Status
o http://www.opm.gov/policy-data-oversight/snow-dismissal-procedures/current-status/
Office of Personnel Management (OPM)
o http://www.opm.gov/
◇ Legal Research
LexisAdvance

1:19-CV-05190 2.1.2022 ED\_003046\_00018414-00053

https://signin.lexisnexis.com/Inaccess/app/signin?aci=la

#### Message

From: Walker, Denise [Walker.Denise@epa.gov]

Sent: 11/27/2018 11:06:49 PM

To: Blake, Wendy [Blake.Wendy@epa.gov]; Clarke, Victoria [clarke.victoria@epa.gov]; Kaminer, Joan

[Kaminer.Joan@epa.gov]

CC: Epp, Timothy [Epp.Timothy@epa.gov]; Gottesman, Larry [Gottesman.Larry@epa.gov]

**Subject:** Awareness Notification e-mail template 11272018 Final.docx **Attachments:** Awareness Notification e-mail template 11272018 Final.docx

#### All:

Everything should be final in this version.

I did switch the font back to Calibri since our e-mails (as you see) are all in Calibri and I scrubbed out the track changes.

Larry: I will work with you on the email to go out to those who need this tomorrow!

Best,

Denise

#### **Awareness Notification Email Template**

**To Line:** Elizabeth White, Director, OEX

Brian Hope, Deputy Director, OEX Victoria Tran, Special Assistant, OEX

Timothy Epp, Director, National FOIA Office

Nancy Grantham, Principle Deputy Associate Administrator, OPA

Troy Lyons, Associate Administrator, OCIR

Robin H. Richardson, Principle Deputy Associate Administrator, OCIR

John Konkus, Deputy Associate Administrator, OPA Denise Walker, Assistant Director, National FOIA Office Larry Gottesman, Assistant Director, National FOIA Office

[insert Action Office's Deputy Assistant Administrator or Deputy Regional Administrator]

[insert - individual assigned to the request in FOIAonline]

Subject: Awareness Notification [Include EPA FOIA ID here] [Identify general topic of FOIA]

To whom it may concern,

[Identify the Action Office here] is responding to the above-referenced FOIA request(s). We are providing this awareness notification email pursuant to the Chief of Staff's November 16, 2018 memorandum "Awareness Notification Process for Select Freedom of Information Act Releases." Recipients of this email have up to three business days following transmission of this email to review the documents to be released.

There is no requirement for you to respond to this email or otherwise take action. The Action Office has completed review and obtained management approval consistent with the agency's FOIA policy and procedures.

After 4 p.m. on the third business day after transmission of this email, the Action Office will issue the Agency's FOIA determination to the requester(s). The determination will be issued promptly, but in no event later than one business day following completion of the three-day awareness notification period.

The information provided below is consistent with Paragraph 4 of the above-referenced November 16, 2018 memorandum.

[Action Office]								
FOIA ID	Requester	Requester Organization	Date FOIA Request Perfected	Date sent for Awareness Notification	Brief description of request as clarified	Interim or Final Response	Number of Records and/or pages	
EPA- HQ- 2019- 00xxx	Jane Q. Public	News Group	11/10/2018	11/17/2018	Documents seeking records about X.	Interim response	10 records	

The following offices have equities in these records and have reviewed the relevant records:										
Office 1 Office 2 Office 3										
The ma	The manager who approved this release is:									
The records are:										
attached										
ma	ay be found	at the following	g link: [ <i>Insert l</i>	ink]						

From: Gottesman, Larry [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7B3DBF872F954FBEB950E98C56BDC431-LGOTTESM)

**Sent**: 6/6/2019 9:21:19 PM

To: FOIA Officers [FOIAOfficers@epa.gov]; FOIA Officers Alt [FOIAOfficers-Alt@epa.gov]; Adkins, Norman

[adkins.norman@epa.gov]; Barnett-Owens, Inga [Barnett-Owens.Inga@epa.gov]; Brown, Sineta [Brown.Sineta@epa.gov]; Cunningham, Dennis [Cunningham.Dennis@epa.gov]; Hamilton, Sabrina [Hamilton.Sabrina@epa.gov]; Kennedy, Chandra [Kennedy.Chandra@epa.gov]; Levine, Scott

[Levine.Scott@epa.gov]; Collazo, Beatriz [collazo.beatriz@epa.gov]; Malloy, Marilyn [Malloy.Marilyn@epa.gov]; McLendon, Wanda [McLendon.Wanda@epa.gov]; Newman, Maya [Newman.Maya@epa.gov]; Newton, Jonathan

[Newton.Jonathan@epa.gov]; Routt, Christiane [Routt.Christiane@epa.gov]; Schumacher, Wendy

[schumacher.wendy@epa.gov]; Williams, LaShawn [williams.lashawn@epa.gov]; Zipf, Lynn [Zipf.Lynn@epa.gov];

FOIA Officers [FOIAOfficers@epa.gov]; Bossard, Justin [bossard.justin@epa.gov]; Gupta, Kaushal

[Gupta.Kaushal@epa.gov]

CC: Person, Linda [Person.Linda@epa.gov]; Epp, Timothy [Epp.Timothy@epa.gov]; Walker, Denise

[Walker.Denise@epa.gov]; Tran, Victoria [tran.victoria@epa.gov]

**Subject**: Awareness Notification Template update **Attachments**: Awareness Notificiation Template.docx

Attached is an updated Awareness Notification Template. Please use this updated template for all future Awareness Notifications. The only change from the existing template is Travis Voyles, the Deputy Assistant Administrator for OCIR has be added and Troy Lyons has been removed from the distribution list. Please share this update template with your FOIA professionals.

Please let me know If you have any questions.

Thank you for your continued support.

Larry F. Gottesman Agency FOIA Officer National FOIA Office Office of General Counsel U.S. Environmental Protection Agency

202-566-2162 (Direct line) 202-689-4588 (Mobile) 202-566-1667 (Main line)



#### Message

From: Person, Linda [Person.Linda@epa.gov]

**Sent**: 12/4/2018 7:59:07 PM

To: Gray, David [gray.david@epa.gov]

CC: Ho, Nancy [Ho.Nancy@epa.gov]; Gottesman, Larry [Gottesman.Larry@epa.gov]

**Subject**: Awareness Notification

Attachments: FOIA Efficiency Memo.pdf; Awareness Notification Template.pdf

(This is being sent on behalf of Larry Gottesman)

Dear Mr. Gray:

The following FOIA requests, assigned to your office, have been selected for the Awareness Notification Process set forth in the attached Chief of Staff's Memorandum.

The FOIAonline tracking number(s) for the selected FOIA requests is/are:

EPA-R6-2019-001545

For these FOIA requests, please follow the procedures set out in the attached Chief of Staff's Memorandum. For steps 4 and 5, an email template is attached for your use.

Please contact me if you have any questions.

Thank you,

Larry F. Gottesman Agency FOIA Officer Office of General Counsel U.S. Environmental Protection Agency

202-566-2162 (Direct line) 202-689-4588 (Mobile) 202-566-1667 (Main line)

#### **Awareness Notification Email Template**

To Line:

Elizabeth White, Director, OEX Brian Hope, Deputy Director, OEX

Victoria Tran, Advisor, OEX

Timothy Epp, Director, National FOIA Office

Nancy Grantham, Principle Deputy Associate Administrator, OPA

Troy Lyons, Associate Administrator, OCIR

Robin H. Richardson, Principle Deputy Associate Administrator, OCIR

John Konkus, Deputy Associate Administrator, OPA
Denise Walker, Assistant Director, National FOIA Office
Larry Gottesman, Assistant Director, National FOIA Office

[insert Action Office's Deputy Assistant Administrator or Deputy Regional Administrator]

[insert - individual assigned to the request in FOIAonline]

Subject:

Awareness Notification [Include EPA FOIA ID here] [Identify general topic of FOIA]

To whom it may concern,

[Identify the Action Office here] is responding to the above-referenced FOIA request(s). We are providing this awareness notification email pursuant to the Chief of Staff's November 16, 2018 memorandum "Awareness Notification Process for Select Freedom of Information Act Releases." Recipients of this email have up to three business days following transmission of this email to review the documents to be released.

There is no requirement for you to respond to this email or otherwise take action. The Action Office has completed review and obtained management approval consistent with the agency's FOIA policy and procedures.

After 4 p.m. on the third business day after transmission of this email, the Action Office will issue the Agency's FOIA determination to the requester(s). The determination will be issued promptly, but in no event later than one business day following completion of the three-day awareness notification period.

The information provided below is consistent with Paragraph 4 of the above-referenced November 16, 2018 memorandum.

[Action	Office]						
FOIA ID	Requester	Requester Organization	Date FOIA Request Perfected	Date sent for Awareness Notification	Brief description of request as clarified	Interim or Final Response	Number of Records and/or pages
EPA- HQ- 2019- 00xxx	Jane Q. Public	News Group	11/10/2018	11/17/2018	Documents seeking records about X.	Interim response	10 records

The following of	ffices have equiti	es in these recor	ds and have revie	wed the relevan	t recoras
and the same of th					
Office 1					
Office 2					

Office 3

The manager who approved this release is: \_\_\_\_\_

The records are: \_\_\_\_ attached

\_\_\_\_ may be found at the following link: [Insert link]

Messag	ge
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From: Gottesman, Larry [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7B3DBF872F954FBEB950E98C56BDC431-LGOTTESM]

**Sent**: 11/28/2018 4:10:15 PM

To: Walker, Denise [Walker.Denise@epa.gov]

**Subject**: FW: Awareness Notification Alert

Attachments: Awareness Notification Memorandum.pdf; Awareness notification email template.docx

Per our conversation

From: Epp, Timothy

**Sent:** Wednesday, November 21, 2018 4:35 PM **To:** Blake, Wendy <Blake.Wendy@epa.gov>

Cc: Gottesman, Larry <Gottesman.Larry@epa.gov>; Walker, Denise <Walker.Denise@epa.gov>

Subject: FW: Awareness Notification Alert

Wendy, see the draft cover email below.

Please work with Larry and Denise next week to finalize.

Thanks, Tim

Timothy R. Epp Acting Director, National FOIA Office Office of General Counsel U.S. Environmental Protection Agency Tel. 202-564-2830

Dear \_\_\_\_:

The following FOIA requests, assigned to your organization, have been selected for the Awareness Notification Process set forth in the Chief of Staff's Memorandum, a copy of which is attached to this email.

The FOIAonline tracking number(s) for the selected FOIA requests is/are:

For these FOIA requests, follow the procedures set out the attached Chief of Staff's Memorandum. An email template is attached for you to use in the awareness notification process.

Please let me know if you have any question.

Thank you.

Larry F. Gottesman Agency FOIA Officer Office of General Counsel U.S. Environmental Protection Agency 202-566-2162 (Direct line) 202-689-4588 (Mobile) 202-566-1667 (Main line)

#### **Awareness Notification Email Template**

**Subject:** Awareness Notification [FOIA ID] [Topic]

**To Line:** Elizabeth White, Director, OEX

Brian Hope, Deputy Director, OEX

Timothy Epp, Director, National FOIA Office

Nancy Grantham, Principle Deputy Associate Administrator, OPA

Troy Lyons, Associate Administrator, OCIR

Robin H. Richardson, Principle Deputy Associate Administrator, OCIR

Denise Walker, Assistant Director, National FOIA Office Larry Gottesman, Assistant Director, National FOIA Office

Action Office's Deputy Assistant Administrator or Deputy Regional Administrator

The individual assigned to the request in FOIAonline

Action Office								
FOIA ID	Requester	Organization	Date of Request perfected	Date Sent for Notification	Description	Status	Disposition	Number of Records and/or pages
EPA- HQ- 2019- 00xxx	Jane Q. Public	News Group	11/10/2018	11/17/2018	Documents seeking records about X.	Interim response	Release in part	10 records

The following offices have equities in these records and have reviewed the relevant records:

The following offices have equities in these records and have reviewed the relevant records:	
Office 1	
Office 2	
Office 3	
The manager who approved this release is:	
The records are:	
are attached	
may be found at the following link: [Insert link]	